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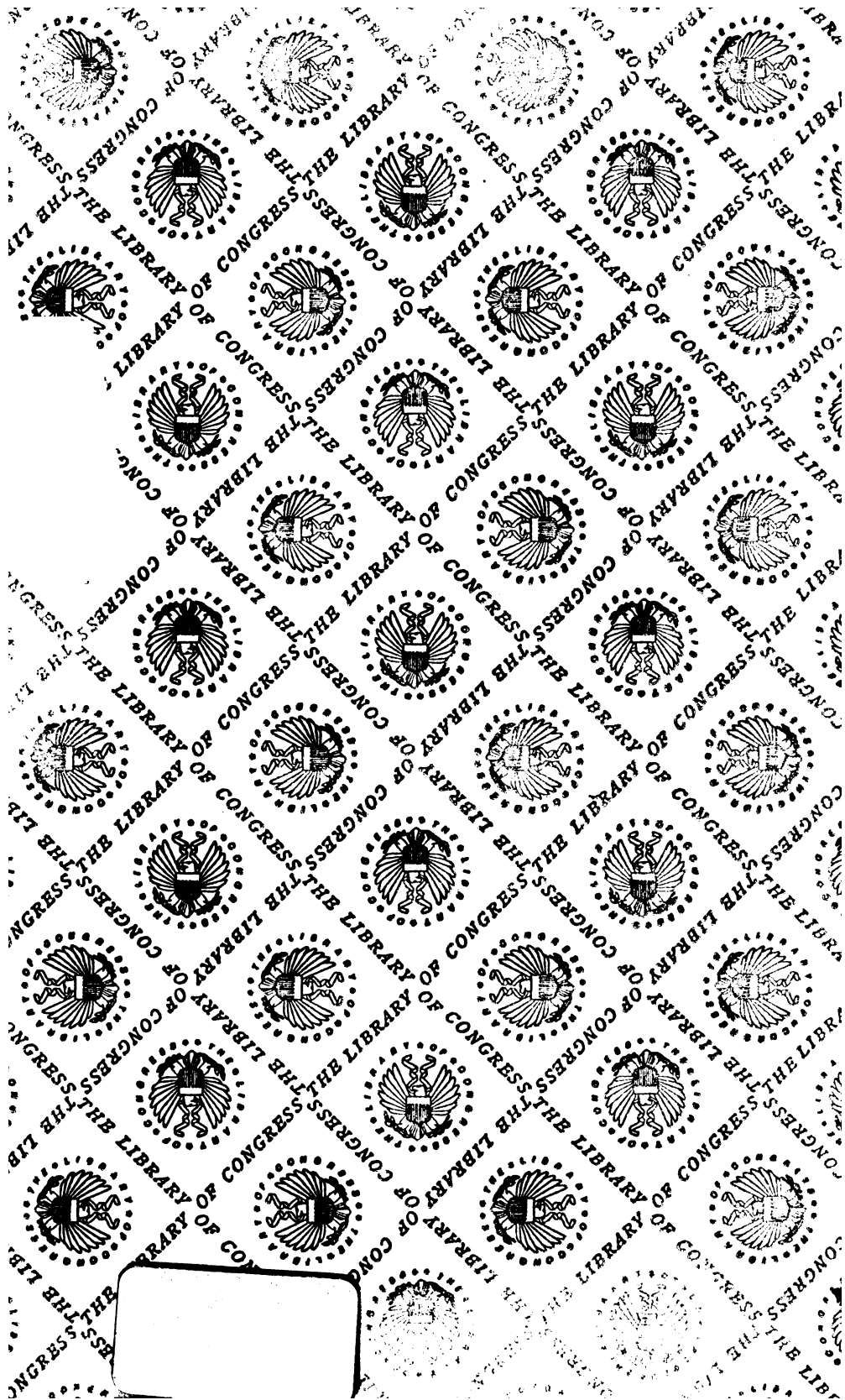
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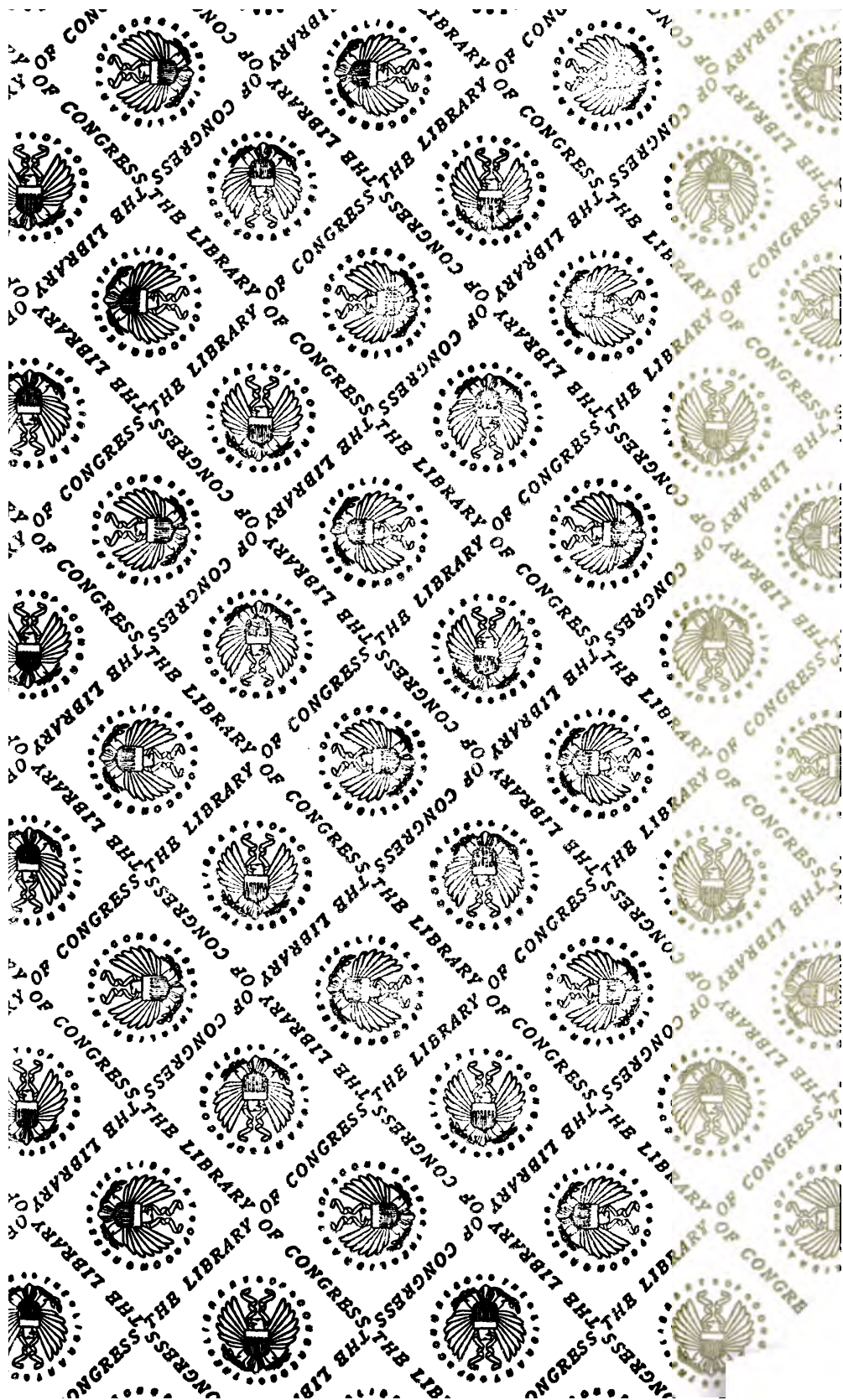
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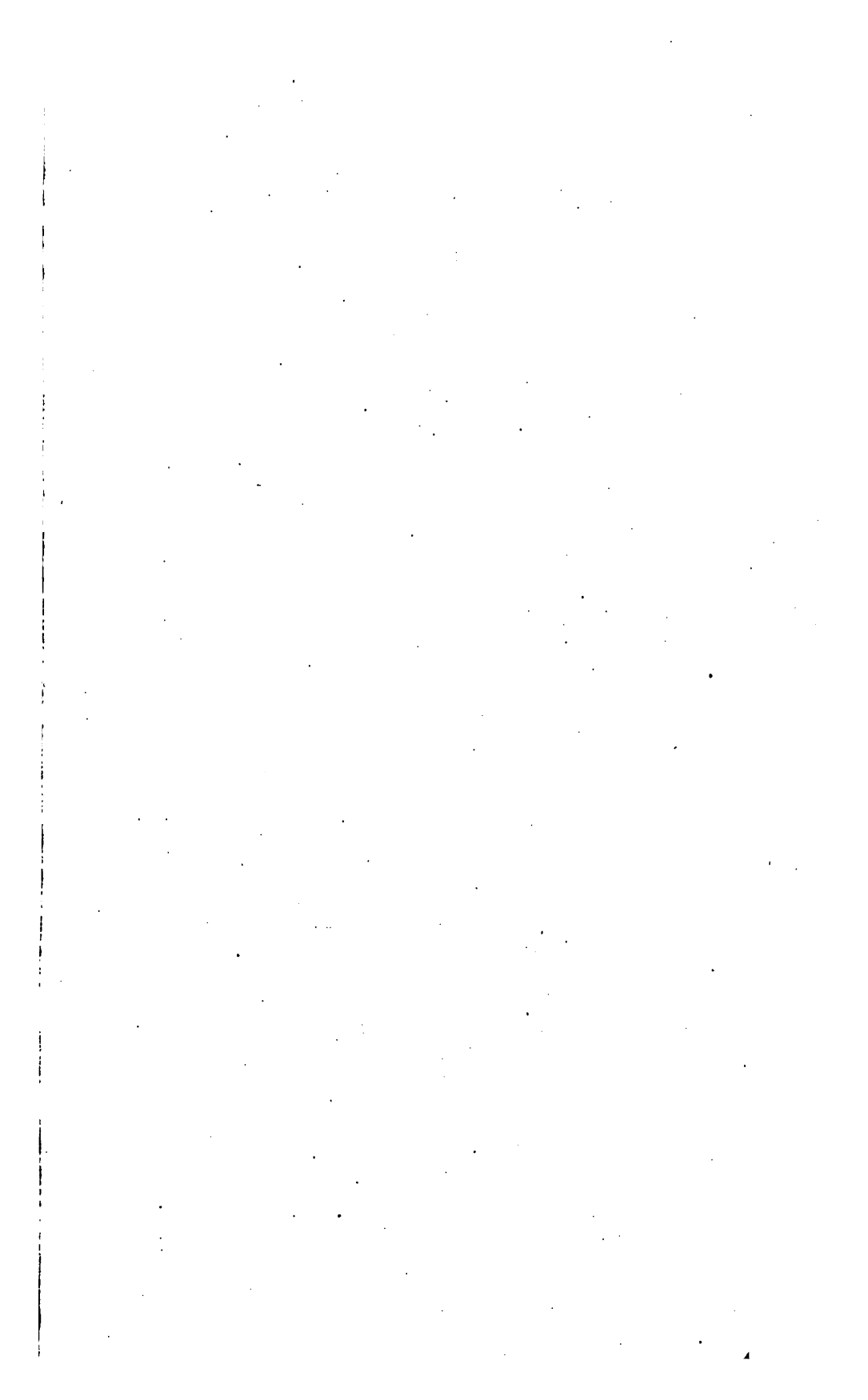
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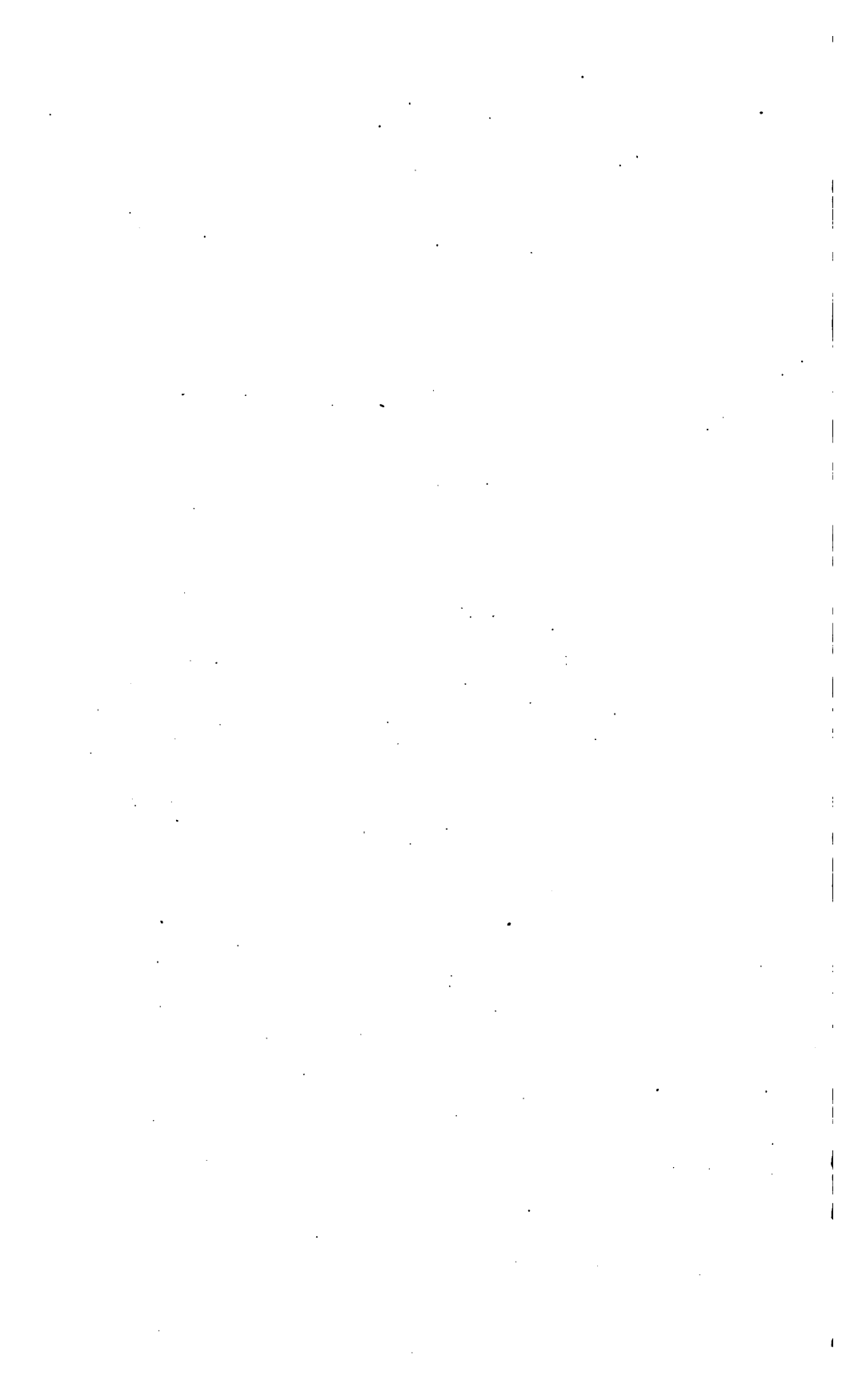












# INDIAN APPROPRIATION BILL

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## HEARINGS

BEFORE A

### SUBCOMMITTEE OF THE COMMITTEE ON INDIAN AFFAIRS

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13, HOUSE OF REPRESENTATIVES

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CONSISTING OF

HON. JOHN H. STEPHENS, *Chairman*

HON. SCOTT FERRIS

HON. CHAS. H. BURKE

WASHINGTON  
GOVERNMENT PRINTING OFFICE

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## INDIAN APPROPRIATION BILL.

SUBCOMMITTEE ON INDIAN AFFAIRS,  
HOUSE OF REPRESENTATIVES,  
*Washington, D. C., January 17, 1912.*

The subcommittee met at 10 o'clock a. m., Hon. John H. Stephens (chairman) presiding.

The CHAIRMAN. We have present with us this morning Mr. E. B. Meritt, representing the Indian Office, and he will be glad to answer any questions which the committee may put to him.

The first item in the bill to be considered is:

For the survey, resurvey, classification, and appraisement of lands to be allotted in severalty under the provisions of the act of February eighth, eighteen hundred and eighty-seven, entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey and allotment of lands in severalty to Indians, or other disposition authorized by law, including the necessary clerical work and other expenses incident thereto and to the issuance of all patents in the field and in the Office of Indian Affairs, and to the delivery of trust patents for allotments under said act or any such act or acts; and for the survey and subdivision of Indian reservations and lands to be allotted to Indians under authority of law, two hundred and fifty thousand dollars, to be repaid proportionately out of any Indian moneys held in trust or otherwise by the United States and available by law for such reimbursable purpose and to remain available until expended: *Provided*, That thirty-five thousand dollars of this appropriation shall be made immediately available: *Provided further*, That the unexpended balances of all continuing appropriations heretofore made for survey, allotment, classification, or appraisement work, general or specific, are hereby made available for the purposes enumerated herein.

The CHAIRMAN. You are asking \$35,000 more for this year than last year.

Mr. MERITT. There is a separate estimate for \$85,000, making a total request of \$335,000 for allotment work.

The CHAIRMAN. Will you give the reason for the supplemental estimate?

Mr. MERITT. Yes; the reasons for that are that prior to July 1, 1910, the General Land Office let out survey work on Indian reservations by contract, and some of the bills for those contracts are just now coming in, and the department has authorized the payment of a number of these bills out of the current appropriations for survey and allotment work, and as a result of that our allotment-work appropriation is exceedingly short.

Another reason why our appropriation is short this year is because under the act of June 25, 1910, we are required to investigate power sites, and the department has issued an order that no patents shall be issued to Indian lands without a report from the Geological Survey showing the mineral deposits underlying them.

As a result of these investigations and the payment of these outstanding bills our allotment appropriation this year is very short,

and unless we get an appropriation to be made immediately available the allotment and survey work will have to be discontinued on a number of reservations. The justification for the appropriation is also set out in the supplemental estimates.

The CHAIRMAN. Does not the Geological Survey, the Irrigation and Reclamation Service pay any of these expenses?

Mr. MERITT. No; they submit the bills to the Indian Office and that office pays the bills.

The CHAIRMAN. Is not this really a deficiency coming over from other years?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Did you ask for no appropriation of this kind two years ago?

Mr. MERITT. No, sir. Because the General Land Office had not notified us of these outstanding bills, and Congress has provided, also, in certain cases, that surveys shall be made, and we have not the funds to carry out the present acts of Congress without the additional appropriation.

Mr. BURKE. When were these contracts of which you speak made, Mr. Meritt?

Mr. MERITT. They were made prior to July 1, 1910.

Mr. BURKE. The contracts made prior to July 1, 1910, were for a definite and stated amount, were they not?

Mr. MERITT. Yes, sir; and bills have been submitted.

Mr. BURKE. Do you know where the work is to be done on the Indian Reservations, or what part of the country?

Mr. MERITT. Some of this work is to be done in Montana, New Mexico, and Washington.

Mr. BURKE. If these contracts were made, as you say, prior to July 1, 1910, why was an appropriation not asked in order to have the money available to meet the payments when the contracts were completed?

Mr. MERITT. Because the bills were not submitted to the Indian Office until recently, since we submitted our last estimate, and we did not know the exact amount of these bills.

Mr. BURKE. Then, these were contracts made by the General Land Office for surveys without the knowledge of the Indian Office?

Mr. MERITT. We knew that the survey work was being made, but did not know the exact amount of the bills.

Mr. BURKE. Have some of these contracts been paid out of the appropriations that have been made for the current year for surveys?

Mr. MERITT. Yes, sir.

Mr. BURKE. Would it require the \$35,000 that you have first estimated in order to carry on the work until the 1st of July? You make \$35,000 of the amount you estimate immediately available. Would that probably all be used by the 1st of July?

Mr. MERITT. We would need more than that now to carry the work until the 1st of July.

Mr. BURKE. I mean in addition to the \$85,000?

Mr. MERITT. Well, possibly it could be cut down to \$100,000. If we could get \$100,000, to be made immediately available, that would carry the work to the 1st of July.



Mr. BURKE. Indian lands are also being examined by the Geological Survey in order that allotments may be made, are they not?

Mr. MERITT. In order that patents may be issued by the General Land Office.

Mr. BURKE. And does the Indian Office pay that expense to the Geological Survey?

Mr. MERITT. Yes, sir.

Mr. BURKE. What is the purpose of examining an Indian allotment where the Indian makes an application for patent in fee? Is it to determine whether or not it is mineral in character?

Mr. MERITT. That examination is made when an Indian makes application for a patent in fee, and also before a trust patent is issued to the allottee, to find out whether or not the land contains valuable minerals.

Mr. BURKE. That examination is now being made of all lands before the patent is issued?

Mr. MERITT. Yes, sir.

Mr. BURKE. Then, it is being made in a great many instances where there is not even a suspicion or a suggestion of any mineral, is it not?

Mr. MERITT. Well, the Geological Survey has data showing where the minerals are located, and if it is in a certain area where there are not likely to be any minerals we go ahead and issue patents on the recommendation of the Geological Survey.

Mr. BURKE. What about the question of power sites? Do you examine the lands with a view to determining whether there is any water-power site upon them?

Mr. MERITT. Not a minute examination is made of all the land, but where there are likely to be power sites an examination is made.

Mr. BURKE. You say by reason of having to do this work you need more money than you otherwise would require?

Mr. MERITT. Yes, sir.

Mr. BURKE. But you make no estimate for an increase for the next fiscal year over what you have had in prior years, do you?

Mr. MERITT. Yes; we make an estimate for a small increase.

Mr. FERRIS. \$35,000.

Mr. BURKE. That is to be immediately available. I understand that is to be used practically before the 1st of July. Did you contemplate, Mr. Meritt, when you estimated for \$35,000, that some part of it would be used in the fiscal year ending June 30, 1913?

Mr. MERITT. We think most of that will be needed before the 1st of July.

Mr. BURKE. Then you have not made an estimate for an increase over the amount that you had last year for survey work and allotment work?

Mr. MERITT. If we use all this appropriation, the \$35,000 immediately available and the \$85,000 carried in the supplemental estimates, before the 1st of July, that would put the allotment work in such a condition that we could go over the next year with the amount appropriated for this year.

Mr. BURKE. Is it your opinion, then, that you could do the work required for the fiscal year ending June 30, 1913, with \$215,000?

Mr. MERITT. We could if we could get the amount requested in the supplemental estimates.

Mr. BURKE. Those amounts are due now, as I understand it.

Mr. MERITT. There are certain items in the supplemental estimate that will cover certain specific work besides the outstanding claims. You will recall that we say here that the claims aggregate only about \$40,000, and that will leave \$45,000 with which to do special work.

Mr. BURKE. Is it your opinion that you can further economize and reduce the cost of survey and allotment work, so that you could get along with less than the appropriation made for it heretofore?

Mr. MERITT. No, sir. I personally believe that this is one of the most important items in the Indian appropriation bill, because my idea is that we should, just as soon as possible, make allotments to the Indians, and there are a large number of the reservations where we have not made allotments to all the Indians, and which should be made just as soon as appropriations will permit.

Mr. BURKE. Was any effort made by the Indian office to bring this matter to the attention of the Committee on Appropriations when the urgent deficiency bill was being considered?

Mr. MERITT. Yes, sir. We had the justifications practically made out, but the urgent deficiency bill was passed so hurriedly this year that we could not get it in the House and we submitted it to the Senate, and the chairman of the Senate committee declined to consider it because it had not been received through the regular channels in time. I will say, Mr. Burke, that we have made a rather full justification for the supplemental estimate for \$85,000. You will find it under the item which explains the necessity for the appropriation requested.

The justification is as follows:

Prior to July 1, 1910, the method of surveying Indian lands by the General Land Office was to enter into contracts with deputy United States surveyors, after advertisement, to perform the work. Under this method it was several years before the surveys were examined, the plats and field notes prepared and approved, the deputy surveyors' accounts examined, and claims for the amounts found to be due them submitted to the Indian Office for payment. Since July 1, 1910, Indian lands have been surveyed by surveying parties under the direct supervision of an employee of the General Land Office, disbursements being made as the work progresses by a special disbursing agent, to whom funds are transmitted, as required, through the Indian Office.

Certain necessary survey work was planned for the fiscal years 1911 and 1912, and \$135,000 was segregated from the appropriation "Surveying and allotting Indian reservations, reimbursable," to carry on this work. Claims aggregating about \$40,000, however, have been submitted by the General Land Office for work performed several years ago under the contract system, which it was found necessary to pay from funds segregated to carry on the survey work planned for the current fiscal year.

It will require \$50,000, at the very lowest estimate, to carry the six surveying crews now in the field during the remainder of the current fiscal year. Necessary payment of claims for work performed several years ago out of the current year's appropriation has reduced the available balance for carrying on the present field operations to \$30,000. To avoid disbanding the surveying crews in the height of the surveying season and incurring additional expense which would result from organizing new crews, some members of which would necessarily be without the experience of the members of the present crews, will require an additional \$20,000.

Additional claims amounting to \$7,200 for surveying Indian lands under the contract system will be submitted to the Indian Office during the current fiscal year, and funds should be provided to pay these claims when approved.

On May 19, 1908, 293.65 acres of land in section 30, township 28 north, range 36 east, W. M., within the Spokane Indian Reservation, Wash., were reserved as the town site of Klaxta, under the provisions of the act of June 21, 1906 (34 Stat. L., 377).

Conditions in this part of the reservation require that reservations be made as to flowage rights, dam sites, and mill sites pertinent to water power within the town site of Klaxta, and that the town site be surveyed and town lots disposed of as provided by the act of May 29, 1908 (35 Stat. L., 459).

It is estimated that it will cost \$3,000 to survey and plat this town site. There was appropriated by the act of May 29, 1908, supra, the sum of \$7,000 to carry out its provisions, and the act of March 3, 1909 (35 Stat. L., 813), appropriated \$10,000 additional to complete the survey, allotment, classification, and appraisal of the lands within the Spokane Reservation. Before conditions warranted the survey and disposal of the town site of Klaxta, however, the available balance from these appropriations of \$14,935.97 was transferred to the general fund designated as "Surveying and allotting Indian reservations, reimbursable," as authorized by the act of April 4, 1910 (36 Stat. L., 269).

Under contract No. 83, dated August 19, 1898, Charles L. Chase, deputy United States surveyor, executed certain surveys within the Chippewa Indian Reservation in Minnesota, under the provisions of the act of July 1, 1898 (30 Stat. L., 571-576). This work was commenced on September 29, 1898, and completed February 28, 1899, but the necessary corrections were not completed until March 6, 1907, and the claim for the survey work, amounting to \$4,364.11, was not approved until January 9, 1911. As the unexpended balance from the appropriation for surveying the Chippewa Reservation, provided by the act of July 1, 1898, supra, was transferred to the fund "Surveying and allotting Indian reservations, reimbursable," as provided by the act of April 4, 1910, supra, there are now no funds available to pay the claim of Deputy Surveyor Charles L. Chase.

There are 45 Indian allotments on unsurveyed lands in township 32 north, ranges 11 and 12 east, and township 33 north, range 11 east, within the Washington National Forest, Wash., which should be surveyed at the earliest practicable date. As the allottees have for several years persisted in cutting shingle bolts from lands which they claim as their allotments, but which the Forest Service contends are a part of the national forest. Instructions issued by the Commissioner of the General Land Office for the survey of these lands early in the spring of 1911 were annulled on July 11, 1911, for the reason that there were no available funds to pay for the work, the cost of which is estimated at \$5,000.

Conditions on various private land grants confirmed to the Pueblo Indians of New Mexico by the Court of Private Land Claims require that the boundaries of these grants be determined and marked with permanent monuments at the earliest practicable date.

Conflicts are constantly arising between these Indians and white settlers involving valuable timber and water rights, which can only be finally settled and avoided in future by determining and locating the boundaries of these various pueblos.

The exact relation of these Indians to the Government and the jurisdiction which the Government may and should exercise over them and their property are questions which should be decided at the earliest date, but which must necessarily await the determination of the extent and location of their holdings. It is estimated that it will cost \$16,128 to survey the boundaries of the various pueblos and establish mile and half-mile monuments with iron posts, brass capped.

The act of March 3, 1911 (36 Stat. L., 1058-1066), provides as follows:

"In the issuance of patents for all tracts of land bordering on Flathead Lake, Mont., it shall be incorporated in the patent that 'this conveyance is subject to an easement of 100 linear feet back from a contour of elevation 9 feet above the high-water mark of the year 1909 of Flathead Lake, to remain in the Government for purposes connected with the development of water power.'"

It is estimated by the Commissioner of the General Land Office that it will cost \$25,000 for the necessary survey to fix this contour line, as follows: On lands outside of the reservation, \$10,000, and on lands within the reservation, \$15,000.

The Commissioner of the General Land Office desires to commence this survey early in the spring, and as the disposal of lands fronting on the lake will be suspended pending the completion of the survey, the sum of \$25,000 should be made available, so that the work may be planned for early spring.

Other exigencies will arise during the present fiscal year which will require additional money, and it is believed that \$85,000 is the least amount that will

enable the department to meet the demands arising throughout the Indian country in connection with surveying, resurveying, classifying, and appraising and allotting Indian lands.

**Mr. FERRIS.** On yesterday, Mr. Meritt, when we had no stenographer present, the question was asked how long under present procedure it would require to finish up the allotting of Indians in the United States, and the answer was made that it would be about 17 years. Is that correct?

**Mr. MERITT.** That is correct.

**Mr. FERRIS.** And at an expense of approximately \$3,500,000. Is that correct?

**Mr. MERITT.** I think that is about the figure—that is estimated on the amount that we are now asking for the survey and allotment work.

**Mr. FERRIS.** Does the estimate just referred to include the expense of survey as well as the allotment work?

**Mr. MERITT.** It does; survey, allotment, and appraisement work.

**Mr. FERRIS.** On yesterday, when there was no stenographer present, the question came up as to what the precedent was with reference to appropriating directly to the General Land Office, or appropriating to your office, for making these surveys of Indians lands, as to whether or not it was reimbursable. I wish you would state for the record what your investigation at the present time is upon that point.

**Mr. MERITT.** The General Land Office receives no direct appropriation for making surveys within Indian reservations. Under the present practice they are reimbursed for their work under the appropriation provided in the Indian bill for survey, classification, and allotment of Indian land.

**Mr. FERRIS.** That precedent has been uniform, so far as you know?

**Mr. MERITT.** Within the last few years it has.

**Mr. FERRIS.** Is there or is there not any direct appropriation carried in any of the bills for the part the Geological Survey take in the investigations?

**Mr. MERITT.** No, sir; they come to the Indian Bureau to be reimbursed for the work they do within Indian reservations.

**Mr. FERRIS.** You stated a few moments ago in Mr. Burke's examination that the Geological Survey made examinations of certain of the Indian lands before patent would issue. I wish to know how nearly universal that practice was?

**Mr. MERITT.** That practice is uniform at this time, under the directions of the department, before a trust or fee patent is issued by the General Land Office. Under the order of the department of last year the Indian Office must know whether or not the land contains valuable minerals before a patent is issued.

**Mr. FERRIS.** This is only required prior to the issuance of the trust patent; and not subsequent to the issuance of a trust patent?

**Mr. MERITT.** I think so—in both cases.

**Mr. FERRIS.** What per cent of the land that has been investigated by the Geological Survey has proven to be mineral in character?

**Mr. MERITT.** I would have to find out the exact figures. I could not tell you off hand.

**Mr. FERRIS.** It was stated yesterday by either you or the commissioner that covering the last few years the expense of making indi-

vidual allotments ranged from \$24 to \$31 per allotment. Is that about correct?

Mr. MERITT. The records of the Indian Office show that for 1909 the field work, the administration work, and the survey work by the General Land Office, per allotment, amounted to \$42.51. That is a general average. For the year 1910 the average was \$30.49, a reduction of more than \$12. And for the year 1911 the cost per allotment for field work, administration, and survey work, was \$28.77, a reduction of almost \$2.

Mr. FERRIS. Will it be possible in carrying on this work in the future to further reduce the expense per allotment?

Mr. MERITT. I think so.

Mr. FERRIS. The figures you have just quoted include the expense of the Geological Survey and the expense of the Land Office and of your office; everything connected with the final allotment?

Mr. MERITT. Yes, sir.

Mr. FERRIS. Do you not think, Mr. Meritt, inasmuch as we have several deficiency appropriation bills each year—one having already been passed and several yet to come—that it would even yet be better to go to the regular Appropriation Committee for this deficiency and have it provide for that in the regular way than to put it in this annual appropriation bill?

Mr. MERITT. The only objection to that, Mr. Ferris, is that the urgent deficiency bill has already passed and the general deficiency bill will not pass until the latter part of the session, and we hope that the Indian bill will pass early this spring; and if this item that we have requested is made immediately available, we will have that money to go ahead and do the field work in the summer time and early spring when it is the best time to do allotment work. For instance, we want to do a large amount of allotment work in Montana, and we can not do allotment work there in the winter time; and if we wait until the 1st of July to get the appropriation, three or four months' working time will have elapsed and we will not be able to do the work we ought to do this year.

Mr. FERRIS. What per cent of this money that is paid out by your office to the Geological Survey and the General Land Office is reimbursable from the Indian funds?

Mr. MERITT. All of this appropriation is supposed to be reimbursable.

The CHAIRMAN. Why does not the Indian Office wait until some bill has passed Congress opening a reservation before you request either the Geological Survey or the public lands officers to do the surveying? Why do you do it before hand? That has been your policy heretofore, has it not, to take up every Indian reservation in the United States, and have surveys before hand? I believe the law now authorizes that they be done at any time.

Mr. MERITT. At any time. The Secretary of the Interior, under existing law, can have a survey made on an Indian reservation provided he has sufficient funds available.

The CHAIRMAN. You do not order any survey or any examination of the land until Congress passes an act opening the reservation?

Mr. MERITT. We do not now make surveys until we are ready to make allotments on the Indian reservations.

The CHAIRMAN. And those allotments have to be authorized by an act of Congress, because you would not know how much land to allot each of them?

Mr. MERITT. Under the general allotment act we can now allot Indian lands on Indian reservations, 40 acres irrigable land, 80 acres agricultural land, and 160 acres grazing land, under the provisions of the general allotment act as amended.

The CHAIRMAN. How much work of that kind have you been doing recently?

Mr. MERITT. We have been doing as much as possible under the appropriations available.

The CHAIRMAN. The Geological Survey and General Land Office render to you an account showing the amount paid for each reservation separately; do they render you an account for the work done, I mean?

Mr. MERITT. Yes, sir.

The CHAIRMAN. And do you O. K. that account?

Mr. MERITT. We pass on that account, and if it is all right we O. K. it and transmit it to the auditor. I would say, Mr. Chairman, that we have already paid, under the direction of the department, a number of these bills out of the present appropriation, and for that very reason we are now asking an additional appropriation to be made immediately available.

The CHAIRMAN. If the General Land Office, through its surveyors, does the surveying, why do not they submit that to you and have your approval covering every item surveyed; or does it only apply to where you have made the surveys yourself for allotment work?

Mr. MERITT. The General Land Office makes all the general surveys of Indian reservations. We make some subdivisional surveys.

The next item is:

For the construction, repair, and maintenance of ditches, reservoirs, and dams, purchase and use of irrigation tools and appliances, water rights, ditches, lands necessary for canals, pipe lines, and reservoirs for Indian reservations and allotments, and for drainage and protection of irrigable lands from damage by floods (*and other expenses incident to said irrigation work, including payment of damages as a result of said irrigation work, said damages to be determined by the Secretary of the Interior*), three hundred and fourteen thousand three hundred dollars, to remain available until expended: *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which specific appropriation is made in this Act or for which public funds are or may be available under any other act of Congress: *Provided further*, That nothing herein contained shall be construed to prohibit reasonable expenditures from this appropriation for preliminary surveys and investigations to determine the feasibility and estimated cost of new projects, for investigations and surveys for power and reservoir sites on Indian reservations in accordance with the provisions of section thirteen of the act of June twenty-fifth, nineteen hundred and ten, or to prevent the Bureau of Indian Affairs from having the benefit of consultation with engineers in other branches of the public service for carrying out existing agreements with the Reclamation Service; for pay of one chief inspector of irrigation, who shall be a skilled irrigation engineer, four thousand dollars; one assistant inspector of irrigation, who shall be a skilled irrigation engineer, two thousand five hundred dollars; for traveling expenses of two inspectors of irrigation, at three dollars per diem when actually employed on duty in the field, exclusive of transportation and sleeping-car fare, in lieu of all other expenses authorized by law, and for incidental expenses of negotiation, inspection, and investigation, including telegraphing and expense of going to and from the seat of government and while remaining there under orders, four thousand two hundred dollars; in all, three hundred and twenty-five thou-



sand dollars: *Provided also, That not to exceed seven superintendents of irrigation, who shall be skilled irrigation engineers, may be employed: Provided also, That there shall be covered into each fund, from whatever source derived for construction or maintenance and operation of any irrigation project or system within the jurisdiction of the Indian Service or preliminary surveys and investigations for determining the feasibility or cost of new projects in the Indian Service, the proceeds of the sales of material utilized for temporary work and structures, as well as of the sales of any other property which had been purchased from such fund, and also any moneys refunded in connection with operations necessary for and incidental to such work; and for lands under any such project the Secretary of the Interior may fix annual maintenance charges, which shall be paid as he may direct, such charges, when collected, not to be covered into the Treasury.*

Mr. MERITT. Mr. Chairman, the following justification is submitted for this item:

*Irrigation, Indian reservations.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$325,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	259,800.00
Amount expended-----	247,557.13
Unexpended balance-----	12,242.87
Analysis of expenditures:	
Employees-----	190,295.65
Material-----	15,478.89
Heat, light, and power-----	609.90
Subsistence-----	378.53
Hardware, equipment, etc-----	8,557.07
Live stock-----	375.00
Forage-----	428.70
Transportation of supplies-----	1,266.28
Traveling expenses-----	13,388.91
Telegraphing and telephoning-----	406.13
Stationery and office supplies-----	1,211.09
Third annual installment for building and operation charges, Truckee-Carson project-----	12,992.00
Miscellaneous-----	2,168.98
	247,557.13

IRRIGATION.

*General fund.*—This fund, which is nonreimbursable, is a very important one to the welfare of many needy Indians. It is applicable for work on various reservations where the Indians have no resources which can be used as a basis of credit to obtain loans from the Government. It is used for both irrigation and drainage, also for the protection of irrigable lands from damages by floods; it is also used for the payment of annual reclamation charges for Indian lands under the Truckee-Carson, Nev., and Salt River Valley, Ariz., reclamation projects. It provides for the expenses of the office of chief inspector of irrigation in connection with the exercising of general supervision over all irrigation work performed on Indian reservations, including the preparation of monthly and annual cost reports, covering expenditures made from the general fund, tribal moneys, or special appropriations.

The amount requested for irrigation work on the various reservations, for power investigations, and for administrative expenses are given on the following pages.

On the various irrigation projects it is often found advisable to dispose of certain equipment, supplies, and materials not necessary for the further construction of the project. Under the present laws and decisions by the comptroller, the funds derived from the sale of such articles must be deposited to the credit of the United States and are no longer available for construction of

the projects for which they were appropriated; and this, as far as the irrigation work is concerned, amounts to a reduction of the appropriation.

On many of the projects the lands of whites, as well as those of Indians, are irrigated, and the system is maintained and operated by the Indian Service for some years after the completion of the project. The acreage cost for maintenance on these projects is fixed by the Secretary of the Interior each year. The Comptroller of the Treasury has decided in the case of Fort Hall, which would undoubtedly apply to other reservations, that the moneys so collected must be deposited to the credit of the United States. It is therefore unavailable for the purpose for which it was intended, unless later appropriated by Congress.

If legislation as suggested in the draft of the bill prepared by the Indian Office is passed, the amount of money available for the construction of a project will equal the appropriation, and the money collected for maintenance, based on estimates fixed by the Secretary of the Interior, will be used for the purpose of maintaining and operating the various systems.

For salary, per diem, and traveling expenses of the chief inspector of irrigation, \$6,100.

For salary, per diem, and traveling expenses of the assistant inspector of irrigation, \$4,600.

For the office of the chief engineer and the payment of educational and non-educational employees on the Southern California reservations and for special investigations on various other Indian reservations, \$15,000.

For the salaries of field educational employees in the field section in the Washington office and subsistence and necessary traveling expenses when on special investigations in the field, \$6,000.

For salary, per diem, and traveling expenses, when on special investigations, of John J. Granville, superintendent of irrigation, \$5,000.

For salary, per diem, and traveling expenses while making special investigations, of J. W. Martin, superintendent of irrigation, \$5,000.

For salary, per diem, and traveling expenses on work on the California reservations and special investigations on various other reservations, of C. R. Olberg, superintendent of irrigation, \$5,000.

For salary, per diem, and traveling expenses on details and special investigations on the various Indian reservations, of F. R. Schanck, superintendent of irrigation, \$5,000.

For salary, per diem, and traveling expenses on the various reservations in Arizona, New Mexico, and Colorado of H. F. Robinson, superintendent of irrigation, \$5,000.

For salary, per diem, and traveling expenses while making special investigations, of H. C. Means, superintendent of irrigation, \$2,400.

For the payment of educational and noneducational positions on the various irrigation works under the charge of H. F. Robinson, superintendent of irrigation, \$23,000.

For salary of supervisor of constructed ditches for the operation of the irrigation system, Camp McDowell School, Ariz., \$1,200.

For payment of the annual reclamation charge to the Salt River Valley Water Users' Association for lands of the Pima and Maricopa Indians, \$10,000.

For payment of the annual reclamation charge on 1,000 acres to be allotted to Camp McDowell Indians, \$2,500.

For necessary work on laterals, \$5,000.

This work on laterals will be necessary in order to deliver water to the various allotments.

For salary of supervisor of constructed ditches for the operation of the irrigation system at Pima School, \$1,200.

For salary of supervisor of constructed ditches for operation of irrigation system, Walker River School, \$1,200.

Water development for the Papago Indians, \$25,000.

For the construction of headgates to control the distribution of flood water over the growing crops, improve upon the present system of pond construction and storage of flood waters and the drilling of wells to determine where underground water is available.

Very little assistance has been given these Indians. Eight thousand dollars had been expended on irrigation work for these Indians to June 30, 1910.

Water for Indians of the Capitan Grande Reservation, \$1,500.

The Indians of this reservation are entitled to receive water for the irrigation of their lands from the conduit of the San Diego Flume Co., which trav-

erases the reservation, and additional pipe lines and turnouts are necessary to deliver water to the Indians. One hundred and ninety-six Indians will be benefited on this reservation.

For the development of an irrigation system by draining the land at some points and irrigating at others with the water thus obtained, on the Cahulla Reservation, Cal., \$3,000.

One hundred and fifty-two Indians will be benefited on this reservation. One thousand one hundred and eighty-four dollars and forty-three cents had been expended on this reservation to June 30, 1911.

For development of an irrigation supply for Santa Rosa School, Cal., \$3,000.

This reservation is similar to Cahulla, with the exception that it has some running water. The land has just recently been reserved for the Indians, and the above amount is required to enable them to make some effort to cultivate a small part of the same.

For installation of a pumping plant and concrete-pipe system, Pala School, Cal., \$5,000.

The land at present under irrigation on the Pala Reservation is 400 acres. An additional area of 150 acres will be irrigated on the north side of the San Luis Rey River if this plant is installed. \$33,517.15 had been expended to June 30, 1911, and 205 Indians will be benefited by this project.

For continuing the construction of concrete pipe lines, water-power line, and pumping stations on the Morongo Reservation, \$7,000.

The water from the infiltration tunnel will be used to develop power for pumping from wells to irrigate an additional area on the reservation. Approximately 1,300 acres are irrigated; \$35,990.93 had been expended on this project to June 30, 1911, which, when complete, will benefit 270 Indians.

*Rincon.*—For the construction of a pumping system, including power pipe line and pumping station, \$20,000.

This reservation lies along the San Luis Rey River, at the mouth of Rincon Canyon. There are approximately 800 acres of irrigable land, but the low-water supply is not sufficient for its irrigation. There are approximately 119 Indians at this point, and they are a deserving tribe who would in all probability make good use of any water supply furnished them. Most of the irrigable land lies at too high an elevation to obtain water from simple diversion. The flume of the Escondido Flume Co. crosses the reservation at an elevation of about 1,000 feet above the river, and as the Indians own the low-water rights in the stream it is hoped to effect arrangements whereby the company will deliver to the reservation this low-water supply.

In addition to the water thus obtained, which would be lost if allowed to flow down the channel of the river bed proper, it is proposed to use the power that can be developed at this point to pump water from the underground gravels to the irrigable lands mentioned. Something should be done to better the condition of these Indians and insure the preservation of their low-water rights. Very little assistance has been given this band to date.

The total cost of this contemplated work would not exceed \$35,000.

The Rincon lands being located in the fruit belt will be worth not less than \$300 per acre when supplied with water from a suitable permanent irrigation system, and the expenditure of approximately \$35 an acre would certainly not be excessive when compared with reclaiming such lands in California; \$1,635.03 had been expended on this reservation to June 30, 1910.

For construction of a small reservoir and improvements on the present irrigation system at the Soboba School, California, \$1,000.

These are deserving Indians who are making excellent use of the irrigation pumping plant erected for their benefit; \$15,600.94 has been expended for irrigation for these Indians.

For repairs to Zuni Dam and spillway and for continuing the construction and maintenance of the distributing system for lands under the project, \$50,000.

There are 1,640 Indians located on this reservation, and this project is the only one to be found on the reservation which promises to improve their condition and advance them along agricultural lines. The project has been an expensive one to date, due to many conditions adverse to economical construction. The unfortunate catastrophe resulting in the undermining of the south mesa against which one end of the dam rested occasioned damages which it will require \$150,000 to repair. The Indians are making use of the available stored waters, and it is estimated by Superintendent Robinson that they will irrigate 2,000 acres during the fiscal year 1912. The repair work contemplated through the appropriation herein must be continued, as only through its prosecution can we hope to save the Zuni Reservoir to the needy Indians.

Pueblo reservations: For construction, repairs, and maintenance of irrigation systems and for protection of agricultural lands from damages by floods in the Rio Grande on various reservations in New Mexico, \$10,000.

There are a large number of Pueblo Indians located in New Mexico and they are exceptionally good farmers. They deserve aid in their efforts to maintain their irrigation systems and to preserve their lands from encroachments of the Rio Grande during annual flood periods.

These Indians have 180 miles of ditches, and irrigate some 20,000 acres of land, and have been using most of the ditches for over 200 years.

Navajo and Moqui Reservations, Ariz. and N. Mex.: For the continuation of the San Juan project and to continue work on minor projects, \$60,000.

These reservations are extremely arid, although occupied by approximately 30,000 Indians. Water development is important but difficult and expensive. The Indians are good workers and are deserving of assistance. Considering the great number of Indians and the immense area comprised on their reservations, approximately 14,000,000 acres, the sum above named is not large. The major portion of the amount specified will be used in the continuation of the San Juan River project.

*Colorado.*—Southern Ute allotments: For continuing the work of constructing irrigation systems in the Pine River Valley to cover Indian allotments and to preserve valuable water rights in Pine River, \$20,000.

The present plan as regards the adjustment of the allotted Southern Utes' water rights is to concentrate the Indians in the Pine River Valley on approximately 15,570 acres and endeavor to obtain an adjudication of their water rights in Pine River sufficient for the irrigation of this amount of land. This is a most sensible plan, if it can be carried out, since each Indian would come into possession of 40 acres of land, with an assured water supply.

It is absolutely necessary for the Government to take steps in the matter of preserving water rights. Many whites are diverting water from the Pine River, and the Indians will lose all claim to waters unless some effort is put forth to protect appropriations made in their behalf. Diligent construction is necessary as a measure of good faith.

*Water power.*—For investigations and surveys necessary in connection with the act of June 25, 1910, providing for the reservation of power and reservoir sites on Indian reservations, \$25,000.

In order to obtain proper data on which the department can act intelligently in connection with the act cited it is necessary to perform a large amount of work in the making of surveys, stream gauging, etc., on the various western reservations. The sum suggested is as small as it would be consistent to request, in view of the magnitude and importance of the work to be performed.

Miscellaneous surveys: For construction, maintenance, and repair of irrigation systems on minor reservations and on lands allotted from the public domain, \$16,300.

There are always unexpected demands upon the general fund which can not be foreseen, and an unapportioned balance of at least the amount specified should be available for such work.

#### MAINTENANCE AND REPAIRS OF IRRIGATION SYSTEMS ON THE INDIAN RESERVATIONS.

The expenditure of large sums of money by the Government chiefly within the last 15 years, and aggregating to date approximately \$6,800,000, in the construction of irrigation systems on Indian reservations throughout the West, has brought and is bringing about a condition of affairs which will call for additional expenditures on the part of the Government, due to the large annual cost of maintenance and repairs. These items are a heavy tax that will range annually from 2 to 5 per cent of the cost of the constructed systems. Since hundreds of miles of canals and distributing laterals, together with a great number of structures, have been built on reservations where their construction was necessary, if the water rights of the Indians are to be preserved, it is safe to estimate that the total amount which must be annually expended, aside from construction charges, will approximate \$200,000.

This large sum will be decreased or provided for in part by apportionments from Indian funds which, in the discretion of the Secretary, may be used for the purpose of maintenance and repairs; also through returns from lessees and purchasers of Indian lands who may be called upon to pay such annual maintenance charges as in the opinion of the Secretary of the Interior may be proper. It is probable that such returns may aggregate one-half of the total

amount which at this time must be expended for maintenance, but no exact statement or estimate can be submitted. The facts are that the Government will be called upon to pay out a large amount of money annually until white lessees and purchasers of Indian lands have located in sufficient number, under the various large systems already built or now under process of construction, to meet the charges aforesaid.

The isolated country in which some of the larger projects are located, notably on the former Uinta Reservation in Utah, and the diminished Wind River Reservation in Wyoming, militates against rapid settlement and reclamation of the irrigable lands. The Indians themselves are at these points slow to take advantage of the opportunities afforded them to better their condition through the tilling of the soil, even though water rights of immense value to their future to meet the charges aforesaid.

The CHAIRMAN. Is there any justification outside of that you have inserted?

Mr. MERITT. This is known as the general irrigation appropriation, and it covers irrigation projects not specifically provided for in the bill. This appropriation is not reimbursable. It is used for payment of the salaries of the employees in the Irrigation Service, and is also used largely for aiding those Indians who have no funds available with which they can help themselves. There is a mistake in the print of the bill. The printed estimates will show that we are requesting \$355,000 instead of \$314,000.

The CHAIRMAN. Then you wish to change the figures to \$355,000?

Mr. MERITT. Yes, sir.

The CHAIRMAN. And I see we appropriated last year \$325,000, when you have it \$314,000.

Mr. MERITT. That is also an error. It should be \$325,000 instead of \$314,000.

The CHAIRMAN. We will correct those. I see you have an item here that is new, printed in italics, "and other expenses incident to that irrigation work, including payment of damages as a result of said irrigation work, said damages to be determined by the Secretary of the Interior." Do you not think that is a dangerous invasion upon the law to give such power in the hands of the Secretary of the Interior to examine rights of that character?

Mr. MERITT. That was put in the bill this year, so that we might pay the small damages that may result from construction work on these big irrigation projects.

The CHAIRMAN. But this might include the payment of very large damages, as well as small. It would include all damages, would it not, from the reading of the amendment? This is general, and covers the whole of the United States. There is no limit in it.

Mr. MERITT. We would have no objection to omission beginning with the word "including," and ending with the word "Interior." This was placed in the bill to avoid submitting to Congress certain items for damages.

The CHAIRMAN. What would that leave in the amendment?

Mr. MERITT. It would leave other expenses limited to said irrigation work.

The CHAIRMAN. What other expenses not included in the general terms you have used before? You have it before "maintenance, repairs, irrigation tools."

Mr. MERITT. That is the trouble. There has come up in the year certain expenses of the irrigation items not enumerated in the bill.

You might restrict that further by using the word "necessary" after the word "other"—"and other necessary expenses."

Mr. BURKE. Mr. Meritt, the appropriation bill approved April 4, 1910, required the Secretary of the Interior to transmit to Congress, on the first Monday in December, 1910, a statement of systems or projects showing the original estimated cost, the present estimated cost, and the total amount of all moneys from whatever source derived expended thereon for construction, extension, repair, or maintenance of the irrigation system or reclamation project on Indian reservations, allotments of lands, to and including June 30, 1910. That statement was furnished, as I recall?

Mr. MERITT. Yes, sir.

Mr. BURKE. And I would like to ask you if you can give us a reference to the document in which that we may know what it is.

Mr. MERITT. Senate Document No. 689, Sixty-first Congress, third session.

Mr. BURKE. The same law provided, in addition to the Secretary furnishing the statement I have just referred to and to which you have given us a reference, "that annually thereafter the Secretary of the Interior shall transmit to Congress a cost account of all moneys from whatever source derived expended on each such irrigation project for the preceding fiscal year."

Mr. MERITT. We have submitted that statement as required by law.

Mr. BURKE. And has that been printed, if you know?

Mr. MERITT. Yes, sir.

Mr. BURKE. And will you give us a reference to that document and see that that goes in there?

Mr. MERITT. House Document No. 203, Sixty-second Congress, second session.

The CHAIRMAN. I believe that is about all, unless some of you want to ask further questions.

I see an amendment here on page 11, line 4.

Mr. BURKE. On line 2, "and other expenses incident to such irrigation work"—what other expenses can there be that can be paid for out of this appropriation that are not authorized by language that has heretofore been carried in the bill?

Mr. MERITT. We had an experience in connection with our allotment work this year that caused us to insert this language in the allotment item, and also in the irrigation item, certain unforeseen contingencies arising each year that we are required to pay money for the work in connection with those items, and they are not specifically enumerated in the language of the bill.

Mr. BURKE. Can you give us one or two concrete instances so we will know what these other expenses may include?

Mr. MERITT. I can not in connection with irrigation, but I can in connection with allotment. For example, there is no specific reference in the allotment item to hiring a cook to accompany the allotting crews on the reservation far removed from any other place of any kind where people can procure their meals; and we furnish the cook to accompany these allotting crews, but all crews are required to furnish the groceries.

Mr. BURKE. There is a proviso on page 4 that is new. What have you to say about that?



The CHAIRMAN. I see you have no reference to any notes, beginning on line 11.

Mr. MERITT. That is an important amendment to the irrigation law. If this item is adopted it will enable us to use the proceeds from the sale of material that had been bought out of the irrigation appropriation for other work. Under the existing law the proceeds from the sale of this property is required to go into the Treasury.

Mr. BURKE. And did we not, only within the last two years, change the law so that thereafter there could be no property of any kind sold and any disposition made of the money except turn it into the Treasury?

Mr. MERITT. I do not know of any such law in connection with Indian matters.

Mr. BURKE. I think we did. How much would this probably involve?

Mr. MERITT. That would be purely a guess, Mr. Burke. I should not think that the amount would be very large.

Mr. BURKE. That would not be very large; it would not be very important.

Mr. HOLT. It would be the value of unused material. For instance, Fort Hall and other large projects, the amount of equipment on inventory carried ranges from \$12,000 to \$20,000, and near the close of the project if we could dispose of that material we have no further use for and use that money it would help complete the project without having an additional appropriation.

Mr. BURKE. It would amount to giving that much more money without Congress having any knowledge about it.

The CHAIRMAN. Could not that machinery be used in other projects?

Mr. MERITT. Sometimes the transportation would amount to more than the cost of the machinery.

Mr. BURKE. You have here a provision in the last part of this proviso that authorizes the Secretary to fix the maintenance charge, and you expressly provide that shall not go into the Treasury. That means that may be used also.

Mr. HOLT. That is the point brought up this morning in regard to Fort Hall, that \$3,000 collected for maintenance which they have agreed to pay and which the Secretary of the Interior has authorized and fixed the amount which goes into the Treasury and which was intended for the maintenance of the project, and for that reason it takes an additional appropriation to maintain the project.

Mr. BURKE. Such moneys are expended and paid out without being audited, so far as the Treasury Department is concerned?

Mr. MERITT. They are audited by our service.

Mr. BURKE. But not by the Auditor of the Treasury Department for the Interior Department, who is an official of the Treasury Department. They do not go through the Treasury?

Mr. MERITT. I should think if the Auditor for the Interior Department—

Mr. BURKE. But the Auditor of the Interior Department is only an officer of the Treasury Department, and he only audits such accounts as are paid from the Treasury. This money would never see the Treasury.

Mr. HOLT. Mr. Burke, this money is accounted for on their quarterly account audited by the auditor.

Mr. BURKE. I understand; but it is not accounted for in the same way in which money generally appropriated is accounted for.

Mr. MERITT. One argument in favor of this proposition is that appropriations are made for irrigation work, and the Indian Service is charged up with the amount appropriated. We go and buy certain property out of that appropriation, and when a project is completed, instead of moving the property we find it better administration to sell the property. The proceeds from that property under existing law go into the Treasury, notwithstanding the Indian Service is charged with the total amount appropriated in the bill. If we could get the legislation we are asking for here we could reduce our appropriations, which would look a little bit better for the Indian Service in the estimates printed by the Treasury Department.

Mr. BURKE. You take the last two lines of that proviso: "The moneys obtained from maintenance when collected not to be covered into the Treasury," but, using the language of the proviso, "it shall be paid as he (the Secretary of the Interior) may direct." That is pretty broad authority; he can do almost anything he might want to with it.

The CHAIRMAN. The next item is:

For the suppression of the traffic in intoxicating liquors among Indians, seventy-five thousand dollars.

The CHAIRMAN. What about the liquor traffic? Do you find you need as many police as you had last year, and that the expenses will be as great as they were last year in preventing the liquor traffic?

Mr. MERITT. That is a very important work—the protection of Indians from intoxicating liquors. The Indians are inclined to be easily enticed by the bootleggers who hang around Indian reservations, and it is very important for the protection of the Indians that we have the amount requested, which is the same amount we had last year, \$75,000.

The CHAIRMAN. Is it not a fact that a great many of these Indians that live on reservations have been allotted other lands and are mixed up with the white people, and that they have city, town, and State governments?

Mr. MERITT. That is all the more reason why it is important that we have money available for this work. On a number of reservations in the Northwest the Indians have been allotted, and town sites have been opened up on the former Indian reservations.

The CHAIRMAN. Is it not true entirely in Oklahoma? Oklahoma is a State now.

Mr. MERITT. That is true of Oklahoma. The Indians of the Five Civilized Tribes are citizen Indians under the law, and the Indians in the western part of Oklahoma are citizen Indians if they were allotted prior to the passage of the Burke Act.

Mr. BURKE. Mr. Meritt, how much was expended during the last fiscal year for suppressing the liquor traffic among the Indians?

Mr. MERITT. We had an appropriation of \$75,000, and practically all that amount was expended. The amount expended up to July 1 was \$68,342.37, but there may be some outstanding claims that will

come in after the 1st of July to run the amount expended up to the full amount appropriated.

Mr. BURKE. Will you give the items which make up that amount which you have named?

Mr. MERITT. Employees, \$31,610.68; traveling expenses, \$30,013.40; transportation of supplies, \$159.64; telegraphing and telephoning, \$657.95; stationery and office supplies, \$783.36; rewards for arrests, \$4,627; and miscellaneous, \$490.34.

I should like to insert in the record the following justification for this appropriation.

*Suppressing liquor traffic among Indians.*

Fiscal year ending June 30, 1912:

Amount appropriated	\$75,000.00
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Fiscal year ended June 30, 1911:

Unexpended balance from appropriation for 1910 and 1911	1,431.87
Amount appropriated	70,000.00

	71,431.87
Amount expended	68,342.37

Unexpended balance	3,089.50
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*Analysis of expenditures.*

Employees	31,610.68
Traveling expenses	30,013.40
Transportation of supplies	159.64
Telegraphing and telephoning	657.95
Stationery and office supplies	783.36
Rewards for arrests, etc.	4,627.00
Miscellaneous	490.34
	68,342.37

SUPPRESSION OF LIQUOR TRAFFIC AMONG INDIANS.

Amount asked for, \$75,000.

For the fiscal year ending June 30, 1911, there was available for expenditure in connection with the suppression of the liquor traffic among Indians, \$80,000, and for the fiscal year ending June 30, 1912, there was appropriated \$75,000.

This service is delegated with the duty of protecting over 300,000 Indians scattered through a large part of the United States and Territories. One chief special officer, 2 assistant chiefs, 11 regular officers, 4 constables, and over 100 fee deputies are engaged in this work.

During the fiscal year 1911, 1,717 new cases were placed on the dockets, 1,473 of which were disposed of and 1,168 convictions secured. As compared with the results obtained during the fiscal year 1910 there has been greatly increased activities in this line of work, and the records show that the Indians themselves are realizing the benefits derived from the operations of the service and taking a hand in the matter.

While much good work has been accomplished it is not to be presumed that it is of a permanent character. Although, we have placed many persons in jails and penitentiaries for violation of the Federal and State laws regarding the sale of liquor to Indians there are always others to take the places of those temporarily disposed of, and in many cases the old offender renews his activities upon securing his release.

A large number of Indians are being allotted lands and patents in fee issued to them. This action, to a certain extent, places the Indians beyond the control of the Government. There are a number of designing men who seek opportunities to take advantage of the weakness of the Indian, and thereby taking from him such belongings as he may have. Intoxicating liquor is the principal cause of the downfall of many Indians, and when subject to its influence are not sane and competent to transact business. It is at such times that these designing persons deal with the Indians and relieve them of their property through

one way or another. It is therefore incumbent on us to afford every protection possible to these Indians, principally by suppressing the sale of liquor to them. It is furthermore essential that the present generation be afforded every protection in this matter, and to fulfill this duty or obligation at least \$75,000 should be appropriated.

The Indians being scattered throughout the United States and funds being insufficient to provide a permanent force of officers it is necessary to send the officers from place to place as the occasion arises, which involves a large amount of traveling expenses. This item, together with the salaries for the regular and irregular employees, takes nearly the entire appropriation.

Mr. BURKE. What, as a rule, are the offences for which convictions or indictments are secured?

Mr. MERITT. Selling liquor to Indians and introducing liquor upon Indian reservations.

Mr. BURKE. Is the department now following the system that prevailed at one time known as the fee system, or are the men who are engaged in this work paid a salary?

Mr. MERITT. The fee system has been modified to a great extent. The office is trying to gradually abolish the fee system.

Mr. BURKE. I notice in this memorandum which you have submitted that it gives the force, and among others named is a chief special officer. That position, I believe, is vacant at this time, is it not?

Mr. MERITT. We have an acting chief special officer.

Mr. BURKE. What led to the change in that position? One Johnson, I believe, was filling it last year?

Mr. MERITT. Mr. W. E. Johnson was the chief special officer up to November, I believe, when he resigned.

Mr. BURKE. Had he had some difficulty with the department by which his resignation was suggested or forced—either one?

Mr. MERITT. I should not like to say it was either suggested or forced. His resignation was submitted and accepted.

Mr. FERRIS. This appropriation is not reimbursable, as I understand, from any Indian funds?

Mr. MERITT. No, sir.

The CHAIRMAN. The next item is:

To relieve distress among Indians and to provide for their care and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases, including the purchase of vaccine and expense of vaccination, seventy-five thousand dollars.

The last appropriation bill for this item carried \$60,000, while this is for \$75,000, an increase of \$15,000. Will you give us briefly the reason for that increase?

Mr. MERITT. This is a very important work for the protection, not only of the Indians, but of the white people of the United States. I should like to submit the following data as a justification for the appropriation for which we are asking:

*Relieving distress and prevention, etc., of diseases among Indians.*

Fiscal year ending June 30, 1912:	
Amount appropriated-----	\$60,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	40,000. 00
Amount expended-----	29,583. 58
Unexpended balance-----	10,416. 42

**Analysis of expenditures:**

Employees .....	\$9, 720. 00
Construction and repairs .....	10, 744. 09
Subsistence .....	1, 614. 09
Medical supplies .....	2, 941. 22
Traveling expenses .....	3, 634. 33
Photo supplies .....	687. 80
Miscellaneous .....	241. 45
<b>Total .....</b>	<b>29, 583. 58</b>

An examination of 5,785 Indians in the Southwest by experts in trachoma during the fiscal year 1911 shows that 2,366, or 40.9 per cent, were infected with trachoma. A total of 5,059 additional cases were reported as under treatment during the fiscal year 1911 by the regular physicians.

Fifteen thousand and ninety-two cases of tuberculosis, with 961 deaths, were reported by the regular physicians during the fiscal year 1911. This number represents only those Indians actually treated, and does not include the large number of cases who were not within reach of the Government physicians. The Indians of the Five Civilized Tribes also are not included.

According to the most reliable statistics obtainable, the death rate among Indians is 160 per cent of that among all other classes in the registration area of the United States, and the mortality from tuberculosis is three and one-half times as great. This excessively large mortality from all causes and excessive morbidity from tuberculosis and trachoma renders a special campaign directed against these diseases and for the prevention of other infectious diseases among Indians imperative. It is for this special work that the appropriation of \$75,000 is asked.

During the fiscal year 1912, \$60,000 was appropriated for the relief of distress and prevention of diseases, and was apportioned as follows:

Relieving distress among destitute Indians .....	\$3, 000. 00
Purchase of vaccine and antitoxin and the vaccination of Indians .....	3, 000. 00
Employment of special physicians and purchase of medicines .....	3, 000. 00
Equipment and maintenance of sanatoria in the North and Northwest .....	20, 000. 00
3 physicians at large, at \$1,400 per annum each .....	4, 200. 00
Expenses of 3 physicians, at \$1,200 each .....	3, 600. 00
1 nurse, field service .....	1, 000. 00
Expenses of nurse, field service .....	1, 200. 00
Traveling expenses and subsistence of physician detailed to Trachoma Hospital at Phoenix .....	1, 200. 00
1 nurse, field service .....	720. 00
Expenses of nurse, field service .....	1, 200. 00
2 contract physicians, 1 at \$480 and 1 at \$720 .....	1, 200. 00
2 nurses, at \$720 .....	1, 400. 00
2 assistant nurses, at \$300 .....	600. 00
Incidental expenses, such as extra drugs, supplies, etc., in open market .....	500. 00
1 nurse .....	720. 00
1 cook .....	600. 00
Incidental expenses at tuberculosis sanatorium, such as fresh fruit, extra food, and supplies in open market .....	500. 00
Salary .....	2, 200. 00
Traveling and incidental expenses .....	2, 095. 00
Transportation for box of books and instruments .....	150. 00
Motion-picture accessories, chemicals, 2 boxes Ozone, 8 cans lime, and 100 barrels sulphuric ether .....	204. 00
6 cases photographic plates .....	100. 00
3 cases lantern slides .....	50. 00
6 gross developing paper .....	50. 00
Photographic accessories, chemicals .....	100. 00
5,000 feet positive film .....	212. 50
7,000 feet negative film .....	262. 50
<b>Apportioned .....</b>	<b>53, 104. 00</b>
<b>Reserve .....</b>	<b>6, 896. 00</b>

The appropriations as made in the past have only allowed the inspection and treatment of Indians at one-third of the schools and reservations in the country, although this work has been in progress for more than two years. The increase of \$15,000 over the appropriation for 1912, asked for, is needed to enlarge the force employed in the work and to improve its efficiency. It is also proposed that additional sanatoria for the treatment of incipient cases of tuberculosis shall be started, and an increased amount of dental work performed at the various schools.

Six thousand eight hundred and ninety-six dollars of the appropriation is held in reserve until the latter part of the fiscal year to provide funds for emergencies, should they arise, and for expenses necessarily incurred in excess of that apportioned for various purposes.

The CHAIRMAN. The next item is:

For support of Indian day and industrial schools, not otherwise provided for, and for other educational and industrial purposes, \$1,500,000.

There is an increase of \$80,000 in that item. Can you give any reason for that increase?

Mr. MERRITT. We are asking for this increase because under the present appropriation we can not provide for the education of all the Indian children throughout the United States, and I believe it is the duty of the Government to civilize and educate the Indians of this country. I desire to submit as a justification for this appropriation the following data, which gives considerable information regarding Indian education:

*Indian schools support.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$1, 420, 000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	1, 420, 000. 00
Amount expended-----	1, 296. 067. 71
Unexpended balance -----	123, 932. 29
Analysis of expenditures:	
Employees-----	698, 881. 99
Construction and repairs-----	1, 836. 08
Heat, light, and power-----	95, 992. 53
Subsistence-----	174, 629. 99
Dry goods, clothing, etc-----	167, 513. 19
Hardware, implements, etc-----	27, 884. 94
Furniture and household goods-----	31, 910. 00
Schoolroom supplies-----	10, 812. 78
Medical supplies-----	5, 110. 10
Live stock-----	11, 134. 40
Forage-----	30, 701. 88
Transportation of supplies-----	2, 751. 92
Traveling expenses-----	21, 587. 95
Telephoning-----	745. 45
Stationery and office supplies-----	6, 183. 13
Miscellaneous-----	8, 391. 38
	1, 296. 067. 71



INDIAN SCHOOLS SUPPORT, 1913, \$1,500,000.

This fund is required for the education of Indian children not otherwise specifically provided for and who are distributed throughout the several States, as follows:

Arizona	2,538	New Mexico	1,438
California	892	North Carolina	71
Colorado	43	North Dakota	209
Idaho	224	Oklahoma	1,259
Iowa	14	Oregon	303
Kansas	65	South Dakota	143
Michigan	40	Utah	17
Minnesota	26	Washington	1,277
Montana	573	Wisconsin	1,129
Nebraska	18	Wyoming	5
Nevada	237		

representing a total of 10,613 Indian children for whom schools have heretofore been established, though in some cases not fully completed as to plant, and especially industrial equipment.

In addition, there are 9,721 Indian children at present unprovided with school facilities, as shown by the following table, exclusive of the Five Civilized Tribes, who are not entitled to share in this appropriation:

Total number of Indian children of school age (5 to 18, both inclusive) 48,912  
Number ineligible for enrollment in school on account of ill health, etc. 5,090

Number eligible for enrollment	43,822
Total capacity Government boarding schools September, 1911, under new regulation requiring 500 cubic feet of air space for each occupant of sleeping rooms	15,512
Total capacity of Government day schools	7,589
Approximate number who may be expected to be cared for by mission schools	5,000
Number whose home conditions are such as to make it possible for them to profitably attend public schools	16,000

Total number for whom school facilities are available 34,101

Additional capacity required 9,721

These pupils are distributed throughout the several States, and while some of them may be otherwise provided for, yet, for a large number, the only funds available for their education will be derived from this appropriation.

Mr. BURKE. In case the committee should conclude to limit this appropriation so as to exclude from the Indian schools children of less than one-quarter Indian blood, to what extent would it reduce the number of pupils that are now being educated in the several Indian schools throughout the country?

Mr. MERITT. It would be largely a guess for me to attempt to answer that question without looking into the matter carefully. I should say that if you excluded absolutely all children of less than one-quarter Indian blood it would reduce the attendance 15 per cent.

Mr. BURKE. Would that enable you to get along with 15 per cent less in the appropriation?

Mr. MERITT. I do not believe that it would materially reduce the appropriation at this particular time, because the department would be required to keep up the school plants and continue the teachers. Of course, in boarding schools it would reduce the cost of maintaining these pupils.

Mr. BURKE. Why could not the appropriation be reduced somewhat, then?

<sup>1</sup> This amount includes 4,704 children already enrolled in the public schools.

Mr. MERITT. This general item does not cover the nonreservation schools.

Mr. BURKE. I understand that. If we should adopt an amendment such as has been suggested, if it is not going to save expense there would be no purpose in limiting the appropriation, would there, unless you expect to put into the schools other Indian children that are not now being educated?

Mr. MERITT. We are not now able to provide for the education of all the Indian children in the United States. If we could exclude the Indians of less than one-quarter blood whose parents are citizens, and who are citizens of the State wherein they live, and where those Indian children are provided with adequate free-school facilities, it would enable the office to bring in these other children who are not now provided for.

Mr. BURKE. What, if anything, has the Indian Office done toward eliminating from these schools children that are largely white, to make room for children that are largely Indian, and who are not being educated?

Mr. MERITT. The Indian Office has been making an effort along that line in the last two years. You will understand that the Indians who have less than one-quarter blood are usually very intelligent and shrewd people, and they rush in and take advantage of the educational opportunities, while the full bloods are not so quick to take advantage of those opportunities.

Mr. BURKE. Is the Indian Office denying children admission to these schools because they are largely white?

Mr. MERITT. Where they are citizens and where they are provided with school facilities at home, the office is gradually eliminating them from the Indian schools.

Mr. BURKE. Mr. Meritt, I wish to call your attention to the item in the bill on page 5, line 10, "for the support of Indian day and industrial schools," the amount estimated being \$1,500,000, and to the act of March 2, 1887, which among other things provides that—

The Secretary of the Interior shall report annually on or about the first Monday in December of each year in what manner and for what purposes the general education fund for the preceding fiscal year has been expended. Such report shall embrace the number and kind of schoolhouses erected and their cost as well as the cost of repairs, names of every teacher employed, and compensation allowed, the location of each school, and the average attendance at each school—

and to ask you to tell us whether or not the Secretary of the Interior has furnished the information called for by this statute.

Mr. MERITT. The report required by the law referred to has been submitted by the Secretary of the Interior in a letter dated November 27, 1911, and is printed in House Document No. 196, Sixty-second Congress, second session. It contains a very complete report regarding the subject matter of your inquiry.

The CHAIRMAN. Is there not a considerable number of the Navajos on their reservation in New Mexico and Arizona that have never been in any school whatever?

Mr. MERITT. Yes. I am very sorry to say that the Indian Bureau has not the facilities for educating all the Navajo children.

The CHAIRMAN. Would it not be just and right that these white children should be excluded and these full-blooded Indians taken care of on the reservation?

Mr. MERITT. I think it would be absolutely the proper thing to do.

The CHAIRMAN. If children three-quarters white should not be provided for in this appropriation, as is provided in an amendment which the committee is considering, could not the same amount of money be more advantageously expended on these Navajos and other Indians similarly situated.

Mr. MERITT. The Navajos are a fine body of Indians, but they are rather peculiar when it comes to the question of educating their children. They are largely opposed to boarding schools and to nonreservation schools.

The CHAIRMAN. Do you not think they are right about that?

Mr. MERITT. The office might be able to send them to day schools if we could find water for them down in that country, but the water question is a big one in the Southwest. The Navajo Indians are a nomadic people. They are shepherds and they move about in order to take care of their sheep. Some of them do not live in any particular place very long, and if they had schools it would be necessary in some cases to have moving schools to follow their herds in order to educate their children. I think the Indian Bureau ought to educate the Navajo children, but it will require increased appropriations.

Mr. FERRIS. On this school item you have increased the estimate from \$1,420,000 to \$1,500,000, and in answer to a question asked you, or the commissioner, yesterday, it was stated that the increase was necessitated from the fact that the Indian children have increased in number, and I believe the number stated was about 2,000. If that was a reason for the increase of the estimate from \$1,420,000 to \$1,500,000, and we adopt an amendment excluding those of less than one-quarter Indian blood, why would not that be a reason for decreasing this appropriation either back to the original amount or even lower?

Mr. MERITT. We are not now able to provide for all the Indian children, and while the amendment suggested will reduce the cost of Indian education considerably, yet the appropriations now available will hardly be sufficient to educate all the Indian children throughout the United States. There are several thousand Indian children now who are not provided with school facilities.

Mr. FERRIS. Let me inquire just a little further. This question might be more appropriate later, when we come to the boarding schools, but the boarding schools are per capita schools largely. In other words, are not a good many of the schools paid for at about \$168 per scholar?

Mr. MERITT. The Indian Bureau tries to keep the per capita cost down to about that figure.

Mr. FERRIS. Then if an amendment should be adopted excluding those of less than one-quarter Indian blood, would it not perceptibly decrease the expense of all these boarding schools, from the fact that it would take out from the schools those that are now being paid for on a per capita basis?

Mr. MERITT. We could put real Indians in the nonreservation schools to take the place of the Indians of comparatively little Indian blood.

Mr. FERRIS. When it comes to a question of excluding children from your schools, in case a full blood and a mixed blood of a small amount of Indian blood applies, to which do you give the preference?

Mr. MERITT. We give the preference, if there is any preference given, to the Indian children of the most Indian blood.

Mr. FERRIS. Then how is it that these schools are filled up with those of comparatively little blood, and the statement is made here that numerous Indians of full blood are not educated at all?

Mr. MERITT. I would not say that they are filled up comparatively with Indians of little blood. We have a great many full-bloods attending the nonreservation schools, but there are a few Indians of a small degree of blood attending these nonreservation schools, and under this proposed amendment they would be excluded.

Mr. BURKE. As I understand it, the appropriation is for the maintenance and support of Indian schools which are located mostly upon Indian reservations.

Mr. MERITT. Yes, sir.

Mr. BURKE. Is it not true that there are more of these white children that attend the nonreservation schools than attend these schools that are upon the reservation?

Mr. MERITT. That is true.

Mr. BURKE. In other words, the abuse does not prevail so much in the schools among the Indians as in the schools located elsewhere and off the reservations?

Mr. MERITT. I think that is a correct statement of the case. We have three kinds of schools in the Indian Service—day schools on the Indian reservations, boarding schools on the reservations, and what are known as nonreservation schools.

Mr. BURKE. Almost without exception the appropriations for the nonreservation schools are made specifically?

Mr. MERITT. They are specifically provided for throughout the bill.

The CHAIRMAN. The next item is as follows:

For construction, lease, purchase, repairs, and improvements of school and agency buildings and grounds, and for sewerage, water supply, and lighting plants, and for purchase of school sites, six hundred and fifty thousand dollars.

Mr. BURKE. You are asking for a pretty good increase here.

Mr. MERITT. I should like to insert in the record the following justification:

*Indian school and agency buildings.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$425,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	425,000.00
Amount expended -----	339,914.60
Unexpended balance -----	85,085.40
Analysis of expenditures:	
Employees (supervisor of construction and engineering)-----	6,691.67
Construction, labor, and material-----	188,096.37
Repairs and improvements-----	123,164.13
Traveling expenses-----	3,497.48
Rent of buildings-----	16,116.81
Purchase of land, improvements, advertising, miscellaneous, etc.-	2,348.14
	339,914.60

## SCHOOL AND AGENCY BUILDINGS, 1913.

The approximate values of the school and agency plants entitled to the benefits of this appropriation are:

School plants-----	\$4, 468, 025
Agency plants-----	1, 168, 893

Total-----	5, 636, 418
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There was expended for permanent improvements during the fiscal year 1911:

Schools-----	\$172, 238
Agencies-----	15, 856

Total-----	188, 094
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Also there was expended for miscellaneous expenses, inspection, travel, rents, etc., both school and agency-----	21, 961
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Total expenditures-----	210, 055
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This left a balance available for upkeep of \$214,945.

Thus the amount available for upkeep of the plants was 3.8 per cent of their total value, which percentage has been found inadequate to keep the buildings and property in good condition and to prevent deterioration of the school and agency plants. Experience teaches that from 5 to 10 per cent is necessary to keep up plants of this character. For the fiscal year 1913 the superintendents of the several schools entitled to the benefits of this appropriation have estimated, as absolute necessities for permanent construction work, buildings, water, lighting, sewer systems, etc., \$583,980. Their total estimates for absolute necessities, however, including repairs as well as constructive work, amount to \$752,276. Deducting their estimates for construction only, this leaves a balance for repairs of \$168,296.

The amount requested for 1913 is \$650,000. Deducting from this the amount estimated for constructive work, viz, \$583,980, leaves a balance for general repairs of only \$66,020.

This amount would be entirely insufficient for the preservation of the Government property, and it will, therefore, be necessary to cut the superintendents' estimates for construction and probably defer some urgent work of this character in order that a balance shall remain from the appropriation for 1913 sufficient to keep the school and agency plants in proper condition and prevent deterioration.

These facts show, however, that the amount estimated for is not excessive, the figure having been already reduced so far as possible and that any further reduction would leave the appropriation insufficient to meet the necessary expenses.

Mr. FERRIS. I should like to ask Mr. Meritt a question. It does not relate to any new matter that is in the bill, but it relates to language that has been carried in the bill before.

Mr. BURKE. It is law now?

Mr. FERRIS. Yes. The language is, "and for purchase of school sites." It has been the policy of the department for several years to abolish and dispense with, as far as possible, the nonreservation schools, has it not?

Mr. MERITT. Yes, sir.

Mr. FERRIS. It has been the view of the department all the time that the reservation schools near the Indians accomplished most, has it not?

Mr. MERITT. The day schools and the boarding schools on the reservations accomplish more for the real Indians than the non-reservation schools, although the nonreservation schools have done and are doing splendid work for the Indians.

Mr. FERRIS. On most of the reservations, if not quite all of them, they are constantly selling land rather than purchasing it. Why

carry this language, which is an authorization to purchase additional sites?

Mr. MERITT. We would not under this language purchase sites on Indian reservations, but we might purchase sites for schools for Indians who have selected what are known as fourth-section allotments under the general allotment act. Indians not provided for on a reservation can go out on the public domain and take allotments. There are a large number of these Indians who have taken fourth-section allotments, and they are not provided with school facilities, and we are required to buy a school site for them, because there are no Indian lands in that community except the lands they have taken as allotments.

Mr. FERRIS. Is any part of this increase of \$225,000 proposed to be used for the purchase of additional land on which to erect school buildings?

Mr. MERITT. No; this increase requested is for the repair of buildings and keeping the plants up as they should be kept.

Mr. FERRIS. You are not making heavy expenditures in the purchase of land for schools?

Mr. MERITT. I would say that we have not spent \$10,000 out of this appropriation for the purchase of land for school sites during the last fiscal year.

The CHAIRMAN. I can see where it might be advantageous in some instances.

The next item in the bill is:

For collection and transportation of pupils to and from Indian schools, and for the transportation of Indian pupils from any and all Indian schools and placing them, with the consent of their parents, under the care and control of white families qualified to give such pupils moral, industrial, and educational training, \$82,000: *Provided*, That not to exceed \$5,000 of this amount may be used in the transportation and placing of Indian youths in positions where a remunerative employment may be found for them in industrial pursuits. The provisions of this section shall also apply to native pupils of school age under 21 years of age brought from Alaska.

You ask for the same amount that you did last year.

Mr. MERITT. Yes, sir.

The CHAIRMAN. I see that you have stricken out the word "pupils" and inserted the word "youths" in lines 5 and 6. What is the reason for that?

Mr. MERITT. If the word "pupils" was left in the bill instead of the word "youths," where an Indian graduates from a school and the office has an opportunity to find employment for him away from that school, under the wording of the existing law it might be ruled that the appropriation would not be available, and the Indian would be left out of school without an opportunity to go to a position that might be found for him. We have a man in the field finding positions for pupils and graduates of Indian schools.

I should like to submit the following justification for this item:

*Indian school transportation.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$82,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	70,000. 00
Amount expended-----	57,751. 30
Unexpended balance-----	12,248. 70
Analysis of expenditures: Transportation of pupils-----	57,751. 30

## TRANSPORTATION OF PUPILS, \$82,000.

Expenditures for transportation of pupils for 1911 were as follows:

From "Indian school transportation, 1911"-----	\$57, 751
From "Indian school, Carlisle, Pa., 1911"-----	17, 191
From "Indian school, Lawrence, Kans., 1911"-----	8, 343
Total-----	83, 285

Thus the amount expended during 1911 slightly exceeded the amount allowed for 1912. In the appropriation act for 1912 the total of \$82,000 allowed was for use of Haskell and Carlisle also, as had not hitherto been the case.

While the amounts required for transportation of pupils to and from the schools to positions where remunerative employment may be found in industrial pursuits will vary from year to year and the amount to be expended can not be definitely estimated, yet payment of transportation of Indian pupils must be made when they are admitted to a school, or as their enrollments terminate, or other occasion arises. Eighty-two thousand dollars is evidently a conservative estimate, and will be required for the year 1913.

Mr. BURKE. Last year we reduced the appropriation for the Carlisle Indian School and did not provide for transportation of the children especially to that school, but requiring the expenses to be paid from this item.

Mr. MERITT. Yes, sir.

Mr. BURKE. Was the appropriation sufficient to cover the transportation of all school children during the year?

Mr. MERITT. The transportation expenses were brought within the appropriation.

Mr. BURKE. Then the school did not suffer by reason of that reduction in the appropriation that we made last year?

Mr. MERITT. No, sir.

The CHAIRMAN. The next item is—

All moneys appropriated herein for school purposes among the Indians may be expended, without restriction as to per capita expenditure, for the annual support and education of any one pupil in any school.

Have you any justification to submit in support of that item?

Mr. MERITT. I should like to submit a justification for this paragraph, as follows:

## PER CAPITA EXPENDITURE.

This item is identical with that in the appropriation bill for the fiscal year 1912, and was inserted pursuant to reasons given by the Commissioner of Indian Affairs at the time the estimates for last year were presented.

The memorandum covering this item explained that the per capita allowance of \$167 per pupil was adopted by Congress about 25 years ago, and was probably legitimate and proper for many years following. Within the last decade, however, conditions have so altered that the restriction became injurious to the welfare of the schools. With the increasing cost of supplies the necessity was imposed on superintendents of filling their schools in order to maintain a sufficiently full attendance therein to conduct the plant properly and to provide the usual necessities for the school and the Indian children. To maintain such attendance the schools were filled with undesirable and ineligible pupils and the standard of the schools was lowered.

An arbitrary limitation of this character places a premium upon the enrollment and serves no absolute good. Congress has a legitimate check upon the expenditure of any given school in that it requires annually a statement of its cost.

The CHAIRMAN. The next item is:

To conduct experiments on Indian school or agency farms designed to test the possibilities of soil and climate in the cultivation of trees, grains, vege-

tables, and fruits, for the purposes of preserving living and growing timber on Indian reservations and allotments, and to advise the Indians as to the proper care of forests: *Provided*, That this shall not, as to timber, apply to the Menominee Indian Reservation in Wisconsin; for the employment of suitable persons as matrons to teach Indian women housekeeping and other household duties, and for furnishing necessary equipments and renting quarters for them where necessary; for the employment of practical farmers and stockmen, in addition to the agency and school farmers now employed; and to superintend and direct farming and stock raising among Indians, four hundred thousand dollars: *Provided further*, That not to exceed five thousand dollars of the amount herein appropriated may be used to conduct experiments on Indian school or agency farms to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, and fruits: *Provided, also*, That the amounts paid to matrons, farmers, and stockmen herein provided for shall not be included within the limitation on salaries and compensation of employees contained in the act of June seventh, eighteen hundred and ninety-seven. (Thirtieth Statutes at Large, at page ninety.)

That is the same amount that was asked for last year.

Mr. MERRITT. This is an important provision, for the reason that it provides for the care of the timber and timber lands of the Indians; it covers the industrial work being carried on among the Indians, and it provides for the expenses of the matrons in the Indian Service. I should like to submit a justification for that item, as follows:

*Industrial work and care of timber.*

Fiscal year ending June 30, 1912:	
Amount appropriated.....	\$400, 000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	350, 000. 00
Amount expended.....	294, 932. 85
Unexpended balance .....	55, 067. 15
Analysis of expenditures:	
Employees .....	270, 548. 44
Construction and repair of buildings.....	3, 590. 69
Subsistence .....	1, 448. 89
Equipment, furniture, etc.....	3, 254. 38
Purchase of live stock.....	1, 310. 00
Forage.....	654. 57
Travelling expenses .....	11, 265. 14
Stationery and office supplies.....	629. 29
Rent.....	1, 626. 50
Miscellaneous .....	964. 95
	294, 932. 85

Industrial work and care of timber, 1913, \$400,000.

Appropriation for the fiscal year 1912, \$400,000.

Of the \$400,000 appropriated for the fiscal year 1912 to conduct experiments on Indian school and agency farms, for purposes of preserving living and growing timber on reservations and allotments and to advise the Indians as to the proper care of forests, for the employment of practical farmers and stockmen in addition to the agency and school farmers now employed, and to superintend and direct farming and stock raising among the Indians, \$225,000 was set aside for agriculture and stock purposes and \$5,000 for experimentation. This amount was expended for the following purposes:



**Salaries:**

46 expert farmers	\$54,190.00	
154 additional farmers	124,000.00	
9 stockmen	8,300.00	
1 stock detective	850.00	
1 horticulturist	1,200.00	
3 supervisors of farming	6,350.00	
1 supervising stockman	2,500.00	
1 chief supervisor	1,486.64	
1 clerk to chief supervisor	400.00	
		\$199,276.64
Per diem of supervisors		3,600.00
Traveling expenses of supervisors	3,320.00	
Traveling expenses of expert farmers	6,200.00	
Traveling expenses of acting chief industries section	400.00	
		9,920.00
Annual estimate, supplies for stock	1,013.00	
Typewriting machine for supervisor	69.75	
		1,082.75
		213,879.39
Reserve		11,120.61
		225,000.00
For experimentation		5,000.00

The estimates received for the fiscal year 1913 indicate the need for the following amounts:

**Salaries:**

59 expert farmers	\$70,800	
153 additional farmers	133,320	
1 horticulturist	1,200	
10 stockmen	9,340	
3 supervisors	6,800	
		\$221,460
Per diem of supervisors		3,000
Traveling expenses of supervisors	3,000	
Traveling expenses of farmers and stockmen	12,800	
		15,800
		244,860

These estimates, in the main, provide for the continuation of those positions which now are in force; provision is also made in the estimates for increased salaries in some instances and the establishment of a few new positions.

The reports from the field indicate that progress is being made in farming and that the Indians, through the constant urging of these farmers and stockmen, are making greater efforts to develop their land and improve their stock.

Eliminating the area under the Union superintendency, there are approximately 34,614,137 acres of unallotted land and 12,468,926 acres of allotted land under the jurisdictions at which these men (excepting 15 of the expert farmers who are estimated for Union Agency) are or will be employed. The population of these reservations is approximately 189,845 Indians, which, if divided by the total number of farmers and stockmen to be employed, would give each man approximately 912 Indians to look after. During the fiscal year 1910 there was an acreage of approximately 55,389 allotted and approximately 18,691 acres of unallotted land under cultivation by the Indians. These figures are not accurate, for the reason that reports before the office are incomplete. They are probably much too low.

The figures for the fiscal year 1911 are not yet complete, for the reason that all the reports from the field have not yet reached the office and therefore data for that year are not available at this time.

In the Five Civilized Tribes there are about 36,000 Indians of the restricted class, scattered over 40 counties, and the work of the 15 expert farmers it is proposed to employ there is divided into 15 districts. As these men will continually travel over these 40 counties, funds to pay their traveling expenses must be provided. It is estimated that it will require \$12,000 for this purpose.

Two expert farmers are employed among the mission reservations in California. One of these men has headquarters at the Pala superintendency and has supervision over the farming operations at nine of the reservations. The other is located at Martinez and has supervision over the industrial activities at four other reservations. It is estimated that \$800 will be required for traveling expenses of these two men in visiting these various jurisdictions.

The \$5,000 estimated for experimentation is for the purpose of continuing experimental work already started at some of the reservations and to take up such work at others in order to determine the adaptability of various plants, cereals, etc., to local conditions. At the San Juan Reservation in New Mexico the plans for the future contemplate reclaiming 40 acres of land between the agency and the river and test its adaptability to growing the various kinds of vegetables, grains, fruits, etc., in that locality. The experimentation work at the Pima School farm carried on under the cooperation agreement between the Departments of Interior and Agriculture is to be continued. There is great need for experimentation at some of the mission reservations, particularly those under the supervision of the expert farmer stationed at Pala. The Bureau of Soils has heretofore made an examination of a number of samples of soil taken from these reservations, and with this knowledge of the soil it is proposed to undertake to determine just what plants, trees, grains, etc., can be grown. It may be also advisable to conduct the experimentation work at other reservations.

#### FORESTRY WORK IN INDIAN SERVICE, 1912.

The total amount allowed for forestry work in the Indian Service during the fiscal year 1912 is \$120,000.

This amount has been apportioned as follows:

1 forester, salary, per diem, and expenses-----	\$5, 660
1 assistant forester, salary, per diem, and expenses-----	3, 800
1 district forester, salary, per diem, and expenses-----	8, 850
4 lumbermen, salaries, per diem, and expenses-----	15, 250
15 forest assistants and all expenses-----	25, 000
1 draftsman and expenses-----	1, 650
1 clerk-----	1, 200
1 stenographer-----	1, 000
91 forest guards-----	42, 180
Office supplies and equipment-----	1, 500
Field supplies and equipment-----	3, 000
Contingencies, fire fighting, trespass, and other special examinations, building of telephone lines, trails, roads, etc-----	15, 910
	<hr/> 120, 000

The forester, assistant forester, district forester, one forest assistant, and two lumbermen will have general duties of administration and inspection. The other two lumbermen and the forest assistants will be assigned to specific reservations to take full charge of all timber protection and use on such reservations, and direct the work of forest guards and other employees.

The timber holdings of the Indians on the various reservations have a value of about \$75,000,000. Forest guards are employed upon 40 reservations where the timber is of considerable importance. On 12 reservations a forest assistant or lumberman will be in charge.

Large quantities of timber are being cut under existing contracts on the Bad River, Lac du Flambeau, Red Lake, and Fond du Lac Reservations. Limited operations will also be carried on upon the Lac Courte Oreille, White Earth, Jicarilla, and Flathead Reservations.

It is expected that large sales will be made during the year on the Fort Apache, Klamath, and Jicarilla Reservations and possibly upon the Mescalero.

On about 20 reservations there are agency sawmills. These mills can be made the means of assisting Indians in improving housing conditions and in general advancement. It is necessary that an efficient man be in charge of forestry work upon each such reservation to insure the successful operation of these mills.

A very large insect infestation has been discovered on the Tongue River Reservation in Montana. An examination has been made by the Bureau of Entomology of the Department of Agriculture. They state that from 3,000,000 to 5,000,000 feet of merchantable timber was killed last year; that as much more will die before the 1st of July, 1912, and that unless immediate steps are taken

to combat it, the entire stand of 250,000,000 feet may eventually be killed. The Bureau of Entomology has marked all the infested trees for cutting, and a forest assistant will be assigned to the reservation to take charge of the work. It is hoped that by cutting the infested trees and burning the bark that the insects can be exterminated.

It is planned to assign a forest assistant to each of the following reservations, on which the timber work is becoming of increasing importance: Klamath, Tongue River, Jicarilla, Navajo, Yakima, Cœur d'Alene, Cushman, Fort Apache, and Warm Springs.

In addition to these, lumbermen or forest assistants are now stationed on the Flathead, Colville, and Fond du Lac Reservations.

In addition to these, a forest examiner will be assigned to the reservations in the Northwest. He will work on those reservations where the timber interests are of importance, but where it is not the intention to assign a permanent forest assistant. He will also assist in the more important work on reservations where forest assistants are assigned, and being a man of wide experience will be of great help in assisting the superintendents to a wise management of the forest on their reservations.

#### INDUSTRIAL WORK AND CARE OF TIMBER.

*Field matrons.*—From the appropriation "Industrial work and care of timber," there is paid the salaries of a force of field matrons allotted to various agencies, whose duties are the teaching of the rudiments of domestic science, instructing in the care of, and nursing the sick. Most of the actual work of enforcing the sanitary regulations of the office falls upon these women, as does the most of the nursing of cases of sickness outside of the school.

These employees reach the Indians in their homes and on account of this these assistants are able to accomplish much good. Of recent years it has been the policy of the office to increase the force of these workers and a supervisor has been devoting her whole time to the improvement of this work.

The CHAIRMAN. In regard to the proviso "That not to exceed \$5,000 of the amount herein appropriated may be used to conduct experiments on Indian school or agency farms to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, and fruits," what part of the full amount here has been used for that purpose? I believe that law was recently passed.

Mr. MERITT. Very little of the appropriation is used for that purpose. We use most of the appropriation for protecting Indian forests, and paying for the industrial work among the Indians, and for paying the salaries of matrons.

The CHAIRMAN. So this is an immaterial appropriation; I mean it does not cover very much money.

Mr. MERITT. It amounts to comparatively nothing.

The CHAIRMAN. Why was the proviso in regard to the Red Lake Indian Reservation in Minnesota stricken from the bill?

Mr. MERITT. Because we see no reason why the Red Lake Indian Reservation should be excluded under this appropriation. There is a reason why the Menominee Indian Reservation should be excluded, because that is provided for by a special law. The Menominee act is found in 35 Statutes at Large, page 51, being the act of March 28, 1908.

Mr. BURKE. In the memorandum that you have furnished, which is incorporated in the record, among the items of expenditures in the analysis of expenditures is one for \$11,265.14 for traveling expenses.

Mr. MERITT. Yes, sir.

Mr. BURKE. I wish you would tell us why it is necessary to expend so much money for traveling, and who expends it.

Mr. MERITT. The people in the Indian forest service; the supervisors are required to travel from one reservation to another, and we have a number of men who are traveling in connection with the forest work.

Mr. BURKE. Of what does it consist, railroad travel, or team travel, or automobile, or what?

Mr. MERITT. It consists of railroad travel and team travel. We have very little automobile traveling in the Indian Service. The appropriation is so limited that we can not afford that luxury.

Mr. BURKE. You have not any detailed statement showing these expenses, so that we can determine just how it is expended, have you?

Mr. MERITT. The books of the Indian Office will show detailed statements; they will show just how this money was expended.

Mr. BURKE. I wish you would furnish the committee with a detailed statement showing how this \$11,265.14 was expended.

Mr. MERITT. I will be glad to get that for you. The statement referred to is as follows:

*Statement of traveling expenses at different agencies and for general inspection paid from appropriation "Industrial work and care of timber, 1911, Indian Service."*

	Farmers.	Matrons.	Timber.	Total.
Cahuilla.....	\$42.05			
Hoopa Valley.....		\$85.50		
Martinez.....	44.00			
Tule River.....		450.00		
Upper Lake.....		160.00		
Fort Lapwai.....			\$50.20	
Nett Lake.....			44.04	
White Earth.....			489.06	
Flathead.....			105.85	
Nevada.....	3.25			
Mescalero.....	289.25			
Union.....	1,991.42			
Colville.....			49.35	
Yakima.....	5.35			
Hayward.....			7.51	
Shoshone.....	4.20			
M. L. Burns, lumberman.....			268.76	
E. P. Holcombe, inspector.....	245.64	245.65	245.65	
	2,635.16	941.15	1,210.41	4,786.72
W. R. Logan, farming.....	51.00			51.00

*Statement of traveling expenses of men engaged in forestry work in Indian Service made from appropriation "Industrial work and care of timber, 1911."*

G. A. Gutches, district forester.....	\$2,074.04
J. R. Farr, superintendent of logging.....	1,723.64
C. S. Webster, cruiser.....	762.15
F. X. Salzman, lumberman.....	742.85
J. P. Kinney, assistant forester.....	675.21
W. M. Mills, special agent.....	449.53
	<u>6,427.42</u>

Grand total of all traveling expenses paid from "Industrial work and care of timber, 1911". 11,265.14

Mr. BURKE. I notice the item under the heading "Industrial work and care of timber," that for expert farmers the amount asked for is \$54,190. What salary is paid to these farmers?

Mr. MERITT. The expert farmers are paid salaries ranging from \$900 to \$1,200.

Mr. BURKE. Is \$1,200 the maximum?

Mr. MERITT. Yes, sir.

Mr. BURKE. What are these farmers that you denominate expert farmers?

Mr. MERITT. They are farmers who are supposed to be well up in agricultural pursuits, who not only have had actual experience on farms, but who have had some course of training in agricultural colleges.

Mr. BURKE. Do you have more than one upon an Indian reservation that you term an expert farmer?

Mr. MERITT. That depends on the size of the reservation. On some reservations we have more than one.

Mr. BURKE. They are stationed in districts, are they?

Mr. MERITT. They are stationed in what are known as districts on the large reservations.

Mr. BURKE. They do not move about from one part of the country to another, do they?

Mr. MERITT. No, sir.

Mr. BURKE. I notice you have 154 additional farmers. What salary do they receive?

Mr. MERITT. They receive salaries of about \$900.

Mr. BURKE. What is the maximum, if you know, paid to those men?

Mr. MERITT. \$900 is the maximum paid to them.

Mr. BURKE. What are their duties?

Mr. MERITT. Their duties are to teach the Indians how to work their land and how to cultivate it properly so as to get the largest returns.

Mr. BURKE. Do they work under the expert farmers?

Mr. MERITT. If we have an expert farmer on a large reservation, and a number of additional farmers, the expert farmer supervises the work of the additional farmers.

Mr. BURKE. Do they all work under the direction and supervision of the superintendent, where it is a part of the reservation?

Mr. MERITT. They are all under the supervision of the superintendent.

Mr. BURKE. Are any of these farmers, either expert or additional farmers, Indians, or are they usually white men?

Mr. MERITT. We have some farmers who are Indians, but they are mostly white men.

Mr. BURKE. I notice an item here, "three supervisors of farming." Who are they, and what are their duties?

Mr. MERITT. The duties of those men are to go from one reservation to another to determine the industrial possibilities and the industrial problems to be worked out on the various reservations.

Mr. BURKE. Are they divided so that they can each have a district, or do they move about regardless of districts?

Mr. MERITT. They have districts. Their work does not overlap.

Mr. BURKE. What salary do they receive?

Mr. MERITT. They receive about \$2,000 a year. They are high-class men, men who have been in the service for a long time as supervisors of Indian work, and they are thoroughly familiar with what is known as the Indian country and with Indian problems.

Mr. BURKE. You have one supervising stockman. What does he do?

Mr. MERITT. We buy a good deal of stock for Indians on different reservations under various treaty items, and this man looks after that part of the Indian work, and he also supervises the stock raising on Indian reservations to a certain extent.

Mr. BURKE. There is provision for a horticulturist. What does he do?

Mr. MERITT. He is employed on special work in Arizona.

Mr. BURKE. What about the provision for a stock chief supervisor. Is he an assistant to the supervisor, or where does he operate?

Mr. MERITT. I would have to look up that data for you, Mr. Burke. This work comes under what is known as the industrial section in the education division.

The information is as follows:

Nine stockmen: On a number of Indian reservations, stock raising is considered one of the most promising industries for the Indians, and on such reservations it is found necessary to employ men who are competent stockmen. The duties of the stockmen are to supervise the Indians in their care of the range stock, assist the superintendent of the reservation in the inspection of stock bought for issue to the Indians and also to prevent, as far as possible, the theft of Indian cattle and to teach the Indians how to properly care for their stock interests.

One horticulturist: At the San Juan school there is being carried on quite an amount of experimental work to determine the kinds of plants, vegetables, grains, etc., adapted to the conditions existing on that reservation, and the horticulturist in question is employed to do this work.

Three supervisors of farming: One of the chief aims of the office is to induce the Indians to till the soil, and to this end 46 expert farmers and 154 additional farmers are employed, and in order that they may have the same supervision, as near as possible, as those engaged in the school work are given, it has been found necessary to employ the three supervisors of farming. These men visit the reservations and supervise the work of the farmers and direct their efforts toward whatever kinds or methods of farming have been demonstrated as best for the soil of the particular reservation. The farming work in the past has not been as well organized as the office would like to have it, but the supervisors are working toward an organization which, we believe, will be the means of getting the Indians to engage in farming and stock raising quite generally.

One supervising stockman: This position was not filled during the past year, but instead of it there was created the position of superintendent of live stock, and his duties are to investigate conditions on various reservations with the view to determining whether or not the industry of raising stock can be profitably followed by the Indians and, if the business of stock raising is followed, to supervise the purchase and issue of stock, and through the nine stockmen, and also through the farmers on such reservations as have no stockmen, he should supervise the live-stock industry in general.

One chief supervisor: A part of the salary of the chief supervisor is paid from this appropriation for the reason that his general supervisory duties extend over the various positions the salary of which is paid from this appropriation. For the same reason a part of the salary of the clerk to the chief supervisor is also paid from this appropriation.

The committee met at 10 o'clock a. m., Hon. John H. Stephens (chairman) presiding.

Mr. BURKE. Mr. Meritt, in the statement relating to forestry work I note the first item is "one forester, salary per diem and expenses, \$5,650." There is also an "assistant forester" at a salary of \$3,800, and one "district forester," \$3,850. I wish you would tell us something about these men, what they do, and who holds the positions; where their headquarters are, and the necessity for their employment.

Mr. MERITT. You will find a complete statement of the work in connection with the expenditures under the appropriation "Industrial work and care of timber," printed in Document No. 211, Sixty-second Congress, second session, and it gives a detailed statement of the expenditures in the service.

Mr. BURKE. I think that answers the question. Does this document you have referred to give the names of the persons holding these positions and where they are located?

Mr. MERITT. No; I do not think it gives the names, and I could not myself offhand give you the names of all the people in the Indian forestry work.

Mr. BURKE. Are these men stationed at some particular point, or move about on the different reservations?

Mr. MERITT. They move about. They move from one reservation to another. When we have a particular piece of work for them to do they go to that particular reservation.

Mr. BURKE. Does the document referred to show the salaries paid to these persons whom I have designated in my question?

Mr. MERITT. I do not think it does.

Mr. BURKE. In this same statement there is an item of \$15,250 for 4 lumbermen and \$25,000 for 15 forest assistants, and expenses. What are the duties of the persons that fill these positions?

Mr. MERITT. The forest assistants are located on Indian reservations.

Mr. BURKE. What salary do they receive?

Mr. MERITT. They receive a salary of \$1,500 a year.

Mr. BURKE. What do they do?

Mr. MERITT. They look after the timber interests on the large reservations. The Indians have timber interests amounting to about \$100,000,000 altogether, and it is necessary that these vast areas be taken care of by people who are trained in forestry work.

Mr. BURKE. What do the lumbermen do?

Mr. MERITT. Whenever there is a large sale of timber the lumbermen go to the reservation and supervise the cutting of the timber on the Indian reservations.

Mr. BURKE. What salary do they receive?

Mr. MERITT. They receive anywhere from \$1,500 to \$2,000.

Mr. BURKE. They have to be experienced men, do they not?

Mr. MERITT. They are required to be experienced men.

Mr. BURKE. How about the various assistants?

Mr. MERITT. They are men who have received training in the forestry work. A number of them are graduates of forestry schools, and we have a number of assistant foresters in our service who have been transferred from the Forestry Bureau.

Mr. BURKE (reading): "91 forest guards at \$42,180." What salary do they receive, and what are their duties?

Mr. MERITT. They are practically laborers on the Indian reservations who suppress forest fires and keep off intruders.

Mr. BURKE. What do they receive?

Mr. MERITT. They receive a small salary; something like \$600 a year.

Mr. BURKE. Is it possible, or do you require men who are holding posts of assistant farmers to perform the duties of forest guards, or do you have separate employees for these?

Mr. MERITT. Where we have no large timber interests the farmers on the reservations and other employees, under the direction of the superintendent, take care of the forest work without having expert foresters or forest assistants.

Mr. BURKE. Is any part of the money appropriated for protecting the forests reimbursable?

Mr. MERITT. No, sir; none of the money appropriated for this work is reimbursable.

Mr. BURKE. The proceeds from the timber that is sold on the reservations go to the Indians?

Mr. MERITT. The proceeds are deposited under a heading known as "Indian money, proceeds of labor," and under a decision of the Comptroller of the Treasury that money is available for administrative purposes, and we are now using some of the proceeds from the sale of timber to help protect the forests, and for administrative purposes for the benefit of the Indians.

Mr. BURKE. Do I understand that you have a fund from the sale of timber, dead, or down, or otherwise, from reservations that you can expend for administrative purposes, and that in addition to the appropriation that is made by the appropriation bill here?

Mr. MERITT. We have not been selling very much timber during the last year or two on account of the low price being paid for timber, but we can, under the discretion of the Secretary of the Interior and in accordance with the decision of the Comptroller of the Treasury, use the proceeds from the sale of timber for administrative purposes.

Mr. BURKE. How much is being used, if you know?

Mr. MERITT. We are not using very much, because we are not getting very much money from the sale of the timber at this time on account of the low price.

Mr. BURKE. Can you give us a statement of how much has been received and how much has been used for administrative purposes?

Mr. MERITT. The statement is as follows:

*Statement showing by reservations the estimated amount of timber, its value, and the salaries of persons employed in forestry work in the Indian service during the fiscal year ended June 30, 1911.*

	Acreage, tribal and allotted.	Estimated stumpage value of timber.	Employees.			
			Special.		Forest guards.	
			Num- ber.	Salaries.	Num- ber.	Total salaries.
ARIZONA.						
Camp McDowell.....	300	\$6,000				
Colorado River.....	15,000	75,000			2	\$900
Fort Apache.....	640,000	3,000,000			1	600
Navajo.....	430,000	7,500,000			3	900
Pima.....	30,000	65,000				
San Carlos.....	386,000	600,000			2	1,200
San Xavier.....	6,440	8,600				
Truxton Canyon.....	32,000	51,200			1	1,000
Western Navajo.....					1	900



*Statement showing by reservations the estimated amount of timber, its value, and the salaries of persons employed in forestry work in the Indian-service during the fiscal year ended June 30, 1911—Continued.*

	Acreage, tribal and allotted.	Estimated stumpage value of timber.	Employees.			
			Special.		Forest guards.	
			Num- ber.	Salaries.	Num- ber.	Total salaries.
CALIFORNIA.						
Campo.....	40	\$140				
Digger.....	287					
Fort Yuma.....	10,000	80,000				
Hoopa Valley.....	129,000	4,490,000			2	\$900
Pechanga.....		2,300				
Round Valley.....	36,692				1	900
Soboba.....	800	1,200				
Tule River.....	45,000	65,000			1	900
COLORADO.						
Navajo Springs.....					1	900
Southern Ute.....		2,000				
IDAHO.						
Coeur d'Alene.....	32,000	140,000			1	750
Fort Hall.....	43,340					
Fort Lapwai.....	28,000	220,000			3	3,020
IOWA.						
Sac and Fox.....	500	2,000				
MICHIGAN.						
Chippewas, Lake Superior.....	15,517	68,730				
MINNESOTA.						
Fond du Lac.....	58,500	650,000	1	\$1,800	3	900
Leech Lake.....	39,304	68,800			5	1,050
Nett Lake.....	55,212	119,000			2	480
Red Lake.....	110,237	1,200,481			2	720
Vermillion Lake.....	300	10,000				
White Earth.....	343,878	1,682,352			5	1,050
MONTANA.						
Blackfeet.....	10,000	120,000			2	1,050
Crow.....	12,800	76,800			2	400
Flathead.....	218,000	5,394,000	1	2,250	9	2,925
Fort Belknap.....	32,000	384,000				
Fort Peck.....	10,000	60,000				
Tongue River.....	70,000	900,000			3	2,800
NEBRASKA.						
Omaha.....	1,640	26,240				
NEW MEXICO.						
Albuquerque Pueblo.....	10,000	55,000				
Jicarilla.....	120,000	1,110,000			8	3,600
Mescalero.....	350,000	4,500,000				
San Juan.....	5,000	50,000				
Santa Fe Pueblo.....	10,000	57,000			1	600
Zuni.....	1,500	22,500				
NORTH CAROLINA.						
Cherokee.....	50,000	100,000				
NORTH DAKOTA.						
Fort Berthold.....					1	840
Standing Rock.....	10,000	250,000				
Turtle Mountain.....	9,600	87,500				
OKLAHOMA.						
Osage.....						
Otoe.....	3,000	63,000				
Pawnee.....	400	12,000				
Ponca.....	5,000					
Sac and Fox.....	15,508	75,000				

*Statement showing by reservations the estimated amount of timber, its value, and the salaries of persons employed in forestry work in the Indian service during the fiscal year ended June 30, 1911—Continued.*

	Acreage, tribal and allotted.	Estimated stumpage value of timber.	Employees.			
			Special.		Forest guards.	
			Num- ber.	Salaries.	Num- ber.	Total salaries.
OREGON.						
Klamath .....	789,942	\$23,683,260			9	\$4,840
Roseburg .....	80,000	800,000				700
Siletz .....	4,000	217,000			2	450
Umatilla .....	3,020	18,373			1	900
Warm Springs .....	233,000	2,305,000			7	2,100
SOUTH DAKOTA.						
Crow Creek .....	4,000	1,500				
Lower Brule .....	1,900	40,000				
Pine Ridge .....	50,000	150,000			3	2,340
Rosebud .....	65,000	50,000			1	960
UTAH.						
Uintah and Ouray .....	10,000	41,250			3	1,180
WASHINGTON.						
Colville .....	707,000	3,279,000	1	\$1,800	7	3,400
Spokane .....	120,000	1,777,545			3	1,200
Cushman .....	226,000	5,108,126			3	960
Neah Bay .....	21,960	275,000				
Tulalip .....		400,000				
Yakima .....	550,000	2,500,000			8	3,740
WISCONSIN.						
Hayward .....	21,278	102,084			3	1,800
Keshena .....	161,280	8,250,000			4	2,880
Lac du Flambeau .....	30,000	245,000			1	420
La Pointe .....		1,355,550	1	1,800	3	1,800
WYOMING.						
Shoshone .....	300	11,250			3	1,125
Grand total .....		84,040,781	4	7,650	126	60,430

*Statement showing the estimated amount of timber upon tribal lands of certain Indian reservations and its estimated value.*

	Amount.	Value.
Fort Apache.....	1,000,000,000	\$3,000,000
Navajo.....	3,000,000,000	7,500,000
San Carlos.....	221,000,000	600,000
Hoopa Valley.....	740,000,000	740,000
Nez Percé.....	100,000,000	200,000
Red Lake.....	140,000,000	1,200,000
Blackfeet.....	80,000,000	120,000
Crow.....	64,800,000	64,800
Flathead.....	1,493,000,000	4,479,000
Tongue River.....	300,000,000	600,000
Mescalero.....	1,500,000,000	4,500,000
Eastern Cherokee.....	40,000,000	100,000
Klamath.....	5,000,000,000	11,000,000
Warm Springs.....	2,280,000,000	2,280,000
Colville.....	3,279,000,000	3,279,000
Cushman.....	4,274,000,000	4,274,000
Neah Bay.....	271,000,000	271,000
Yakima.....	2,000,000,000	2,500,000

A large sale of timber from the Fort Apache Reservation has been advertised, but even if a sale be made no substantial income will be received within 18 months or 2 years. On none of the other reservations can sales probably be made so as to bring in any substantial income for administrative purposes during the next year, with the possible exception of the Klamath, where a sale may be made in time to bring in some money the latter part of next fiscal year. The estimated returns from the Fort Apache sale now being advertised is \$825,000, with a 10-year contract and 2 years for construction. The sale contemplated on the Klamath is estimated at about \$1,000,000, with a 10-year contract and 1 year for construction.

Mr. BURKE. These different positions that I have enumerated, being the foresters and assistant foresters, forest guards, and others—how are they appointed?

Mr. MERITT. They are appointed by the Secretary of the Interior.

Mr. BURKE. From an eligible list?

Mr. MERITT. Yes; they are all under the civil service.

Mr. BURKE. I notice an item here for "Contingencies, \$15,910." Have you any statement showing what that is for?

Mr. MERITT. That amount is set aside to meet what is known as contingencies on reservations. For instance, last summer a year ago we had extensive forest fires on reservations, and we set aside out of this appropriation a fund known as "Contingencies" to be used in case of forest fires.

Mr. BURKE. As I understand this statement it shows how the appropriation for the fiscal year ending June 30, 1912, is divided and will be expended?

Mr. MERITT. Yes, sir.

Mr. BURKE. Are you asking for a similar amount for the fiscal year ending June 30, 1913?

Mr. MERITT. We are asking for the same amount. You will notice that this item includes the expenses for farmers, for the forestry work, and for matrons, all combined. We have what is known as a board of apportionment, composed of office and field men, who meet in the office and apportion this money to the several agencies.

Mr. BURKE. Who constitutes this apportionment board?

Mr. MERITT. Last year it was composed of Supervisor Pears, who has supervision over the Indian schools, Mr. Charles L. Davis, who has been in the Indian field service for 15 or 20 years, and one or two of the office men.

Mr. BURKE. Is that submitted to the commissioner for his approval?

Mr. MERITT. Yes, sir.

Mr. BURKE. I should like to ask you if it would not be possible to accomplish what is being done under this item of \$400,000 for industrial work, care of timber, etc., by reducing it, say, \$50,000?

Mr. MERITT. It is claimed now that we have not sufficient funds to carry on this work properly. More farmers and more matrons are needed. And it is claimed, also, that we have not a sufficient force to care for the large timber interests of the Indians. There are about 145 reservations, I believe, with superintendents in charge of the reservations, scattered over some twenty-odd States, and when this appropriation is divided up among all these reservations to do these three distinct classes of work the \$400,000 does not amount to so very much, when distributed among all these various reservations.

Mr. BURKE. I notice in this statement "forestry work in Indian service," on page 3 of the statement, a suggestion of having a forest

examiner. Is that to be another position that you have not had heretofore?

Mr. MERITT. We have no person known as forest examiner in the service at this time.

Mr. BURKE. But it is proposed to have one?

Mr. MERITT. It is tentatively suggested that a forest examiner might be needed for the Northwest.

Mr. FERRIS. Under this \$400,000 item you intend to carry on the matron service and the additional farmer service and the forestry service. Is that correct?

Mr. MERITT. Yes, sir.

Mr. FERRIS. The item of \$400,000 is all in one appropriation to pay for these three different classes of service?

Mr. MERITT. Yes, sir.

Mr. FERRIS. How much is being expended each year in the farmer service, how much in the matron service, and how much in the forest service?

Mr. MERITT. We are spending approximately \$120,000 for our forestry work, and between \$225,000 and \$250,000 for the industrial work.

The CHAIRMAN. For industrial schools?

Mr. MERITT. No; additional farmers, and the remainder for matrons.

Mr. FERRIS. That would leave about \$55,000 for matrons, would it?

Mr. MERITT. Yes, sir.

Mr. FERRIS. I notice on page 8 of the proposed bill a proviso beginning on line 8 "That the amounts paid to matrons, farmers, and stockmen herein provided for shall not be included within the limitation on salaries and compensation of employees contained in the act of June seventh, eighteen hundred and ninety-seven." Does that mean that the three forms of service provided for in this \$400,000 item are in addition to the regular farmer service?

Mr. MERITT. That provision of the law is to the effect that we can not employ at any one agency employees whose combined salaries shall exceed \$10,000 a year, and in view of the fact that the reservations have been opened and we are now dealing with individual Indians rather than tribes, it costs more to administer the affairs of the Indians on the allotted reservations than on unallotted reservations, and it is the purpose not to include the employees provided for in this item in this class.

Mr. FERRIS. Do you or do you not, independent of this \$400,000 item, make a specific provision for regular farmers?

Mr. MERITT. No, sir.

Mr. FERRIS. This is the only item that you have covering that form of service?

Mr. MERITT. Yes, sir.

Mr. FERRIS. I want to ask you how these farmers are apportioned. Do you have a farmer for a certain number of Indians, or have you any fixed rule?

Mr. MERITT. We have no fixed rule regarding the apportioning of farmers according to population. We apportion them according to the needs of the Indians.

Mr. FERRIS. Do all of the agencies throughout the country have this farmer service?

Mr. MERITT. I do not think so.

Mr. FERRIS. There is no fixed rule of apportionment as to the number of farmers and matrons that each reservation shall have?

Mr. MERITT. We try to make the apportionment in accordance with the needs of the service.

Mr. FERRIS. And that is left discretionary with the commissioner, is it, or do you have a board to pass upon that?

Mr. MERITT. That is left to the general supervision of the commissioner. Recommendations are made to the commissioner by the board of apportionment.

Mr. FERRIS. And if an application should come in from a local agency requesting more matrons or more farmers, the commissioner would pass upon the necessity or absence of necessity in each case?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Are not all of these reservations leased to cattlemen or sheepmen as lands for grazing purposes? Is not that the policy of the Indian Office?

Mr. MERITT. No, sir; there are comparatively few leases now outstanding. We are reducing the leases gradually, as the Indians are allotted. The idea is that the Indians should develop to the point where they will utilize the reservations rather than lease the reservations to cattlemen.

The CHAIRMAN. How long have you pursued the policy of leasing to cattlemen and sheepmen the lands of the Indian reservations?

Mr. MERITT. Fifteen or twenty years.

The CHAIRMAN. At how much per acre?

Mr. MERITT. That depends on the reservation and the location.

The CHAIRMAN. Who makes these leases?

Mr. MERITT. The leases are approved by the Commissioner of Indian Affairs and the Secretary of the Interior.

The CHAIRMAN. How long is the land leased for to each man individually—how many years?

Mr. MERITT. It is leased for from one to three or five years.

The CHAIRMAN. A definite quantity of land or the whole reservation to one man?

Mr. MERITT. Oh, no; we never lease the whole reservation to any one man. We may lease what is known as a pasture to one man.

The CHAIRMAN. Do you require them to fence it?

Mr. MERITT. If the conditions demand it we require the lessees to fence it.

The CHAIRMAN. Do you require them to leave the fences on the land when the lease expires?

Mr. MERITT. Sometimes that is included in the terms of the lease.

The CHAIRMAN. How is it among the Navajos in New Mexico? Are you leasing any of those lands? There is a very large reservation there.

Mr. MERITT. We have a few leases down there.

The CHAIRMAN. To white men?

Mr. MERITT. Yes, sir.

The CHAIRMAN. To cattlemen?

Mr. MERITT. Yes, sir.

The CHAIRMAN. What is your rule there—to only let the cattlemen have it for 12 months?

Mr. MERITT. I do not know the exact terms of the leases in that part of the country. Probably from one to three years.

The CHAIRMAN. How is it in New Mexico, for instance, at the San Carlos Reservation, within a few miles north of Santa Fe, on the Pueblo River? Those are Pueblo Indian lands.

Mr. MERITT. Santa Clara is a Pueblo reservation.

The CHAIRMAN. You have supervision over the timber interests there?

Mr. MERITT. We have supervision over the timber interests of the Pueblos.

The CHAIRMAN. You have control over the management of that school?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Who is the gentleman in charge at the present time?

Mr. MERITT. Mr. Crandall was superintendent of the Pueblos, but he is no longer located there. He has been transferred.

The CHAIRMAN. Transferred to where?

Mr. MERITT. To a school in South Dakota.

The CHAIRMAN. Do you know the place?

Mr. MERITT. Mr. Crandall has been transferred to the Pierre School, in South Dakota.

The CHAIRMAN. Who has his old place now?

Mr. MERITT. It is my understanding that a gentleman by the name of Coggeshall takes the place vacated by Mr. Crandall.

The CHAIRMAN. Do you know whether there was a lease during Mr. Crandall's supervision on the Pima or San Carlos Reservations?

Mr. MERITT. We have leases on the San Carlos Reservation to cattlemen. The San Carlos Reservation is a very large reservation in Arizona.

The CHAIRMAN. Do you have more than one farmer on each reservation?

Mr. MERITT. Yes; on the large reservations we have several farmers.

The CHAIRMAN. Why do you find that necessary?

Mr. MERITT. Because some of those reservations in the Northwest occupy a large area of country, 60 or 75 square miles, and as many as from 1,800 to 2,500 Indians are located on those reservations. They have been allotted in recent years, and one farmer could not do the work required on those large reservations.

The CHAIRMAN. The Indian settlements are so scattered that one man could not look after all that?

Mr. MERITT. They are scattered and they cover a large area.

The CHAIRMAN. You say you have a board that separates these various funds. Has it performed that duty this year, and have the funds been separated for each agency?

Mr. MERITT. Yes, sir.

Mr. BURKE. I call your attention to House Document No. 211, Sixty-second Congress, second session, which is a statement of the expenditures for the fiscal year 1911 from the appropriation "Industrial work and care of timber." In referring to the statement, which seems very complete, it is divided into three divisions—timber, matrons, farmers, stockmen, etc. In the portion of the statement under timber is an item "Equipment, forage, etc." What does that mean?

Mr. MERITT. The foresters are required to cover a large area on the big reservations, and they are required to furnish horses as a means of travel, and this includes forage for the horses.

The CHAIRMAN. The next item is:

For the purchase of goods and supplies for the Indian service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies, two hundred and eighty-five thousand dollars.

The CHAIRMAN. That is the same amount as asked for heretofore.

Mr. MERITT. I should like to submit as a justification for this item the following:

*Purchase and transportation of Indian supplies, telegraphing, and telephoning, Indian service.*

[1911 and previous years' appropriations styled "Telegraphing, transportation, etc., Indian supplies."]

Fiscal year ending June 30, 1912, amount appropriated	\$299,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated	315,000.00
Amount expended	304,802.22
Unexpended balance	10,197.78
Analysis of expenditures:	
Employees	42,672.87
Transportation of supplies	229,456.12
Telegraphing and telephoning	13,268.55
Traveling expenses	2,895.26
Rent of warehouses	13,395.00
Advertising for supplies	1,092.35
Heat and light, stationery and office supplies, and other miscellaneous expenses	2,032.07
	304,802.22

GOODS AND SUPPLIES.

Justification for the following, as appears in the estimate to Congress for the fiscal year ending June 30, 1913, "For the purchase of goods and supplies for the Indian service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of goods and supplies, two hundred and eighty-five thousand dollars."

There are five warehouses for the reception of Indian goods and supplies purchased under contract, these warehouses being located in New York City, Chicago, Ill., St. Louis, Mo., Omaha, Nebr., and San Francisco, Cal. These warehouses are located in rented buildings and payment for said rent must be made from this appropriation.

In order to facilitate the prompt receipt and shipment of the various articles, a superintendent is in charge of each warehouse, with a corps of clerks; their salaries are paid from this appropriation.

All goods and supplies purchased under contract must be inspected before acceptance thereof and shipment to destination. This necessitates the employment of experts at each warehouse to inspect articles in the particular class or classes of goods purchased.

There are many other incidental expenses necessary to the proper conduct of each warehouse, such as towel service, drayage, heat, light, ice, etc.

It is necessary to publish advertisements in trade journals, etc., inviting proposals for furnishing the various goods, supplies, etc. (including construction of buildings and other permanent improvements). It is also necessary to pay for transportation of goods and supplies from the several cities where articles are delivered by contractors, under the terms of their contracts, to the many schools and agencies in the Indian service, including the cost of transporting the supplies from the terminal railroad point to the school and agency itself, in some cases a distance of a hundred miles or more.

It is hoped that during the present year a plan will be effected by which the claims of contractors for goods and supplies will be paid promptly on delivery of the goods at the warehouses, and to do this may possibly slightly increase the cost of administering the affairs of the warehouses, but this expenditure will be more than compensated by the advantages derived from the increased competition when contractors know that prompt payment will be made to them.

Mr. BURKE. We left out of the bill last year, Mr. Meritt, the naming of the warehouses at central points, anticipating that most of the warehouses would be discontinued. What has been the result?

Mr. MERITT. No warehouses have been discontinued. We have warehouses at New York, Chicago, St. Louis, Omaha, and San Francisco.

Mr. BURKE. Is it the opinion of the Indian Office that the several warehouses are necessary?

Mr. MERITT. There appears to be a difference of opinion regarding that particular question.

Mr. BURKE. Where is the principal business done?

Mr. MERITT. More business is done from the Chicago warehouse than any other warehouse.

Mr. BURKE. Your statement shows the amount paid for "rent of warehouses, \$13,395." Will you furnish us a statement showing how that is divided?

Mr. MERITT. Yes, sir.

Mr. BURKE. And if you can do so without too much trouble, please furnish the expense and amount of business done at the several warehouses separately.

Mr. MERITT. We can give you those figures.

Mr. BURKE. I think you can without very much trouble.

Mr. MERITT. The information requested is as follows:

*Volume of business in Indian warehouses, 1911.*

	Freight shipments.			Express shipments.		
	Number.	Weight.	Value.	Number.	Weight.	Value.
		<i>Pounds.</i>			<i>Pounds.</i>	
New York warehouse.....	9,625	960,045	\$273,151.04			
Chicago warehouse.....	81,757	27,862,179	406,543.60	6	403	\$12.75
St. Louis warehouse.....	25,901	2,934,683	184,182.51	8	128	2.04
Omaha warehouse.....	28,946	2,803,349	139,461.86	5	66	44.25
San Francisco warehouse.....	29,960	2,603,156	142,534.12			
Total.....	177,189	37,163,412	1,145,873.16	19	597	59.04

	Mailed.			Number of contract requisitions issued.	Number of open-market purchases made.	Total.
	Number.	Weight.	Value.			
		<i>Pounds.</i>				
New York warehouse.....	568	1,939	\$1,235.75	88	32	120
Chicago warehouse.....	526	1,157	830.59	86	1,176	1,262
St. Louis warehouse.....	51	129	56.25	334	138	474
Omaha warehouse.....	192	348	593.94	115	101	216
San Francisco warehouse.....	4	12	5.60	121	61	182
Total.....	1,341	3,585	2,722.13	744	1,508	2,254

Total number of shipments.....	178,549
Total weight.....	pounds.. 37,167,594
Total value.....	\$1,148,654.33



*Cost of maintenance.*

Warehouse.	Rent.	Light and fuel.	Salaries.		Miscellaneous expenses.	Total.
			Regular.	Irregular.		
New York.....	\$3,874.99	\$203.82	\$8,607.79	\$512.50	\$293.66	\$13,498.76
Chicago.....	4,500.00	29.41	8,816.70	2,359.50	2,327.95	18,155.96
St. Louis.....	1,500.00	122.40	5,740.00	379.00	628.55	8,341.81
Omaha.....	1,591.66	94.26	3,820.00	312.50	438.35	6,221.66
San Francisco.....	1,920.00	58.95	7,199.99	34.00	884.37	10,070.36
		32.00				

The CHAIRMAN. The next item is:

For telegraph and telephone toll messages on business pertaining to the Indian service sent and received by the Bureau of Indian Affairs at Washington, nine thousand dollars.

Mr. MERITT. In support of this item I submit the following justification:

**REASONS FOR REDUCING APPROPRIATION FOR TELEGRAPHING AND TELEPHONING FROM \$14,000 TO \$9,000.**

The idea is to have a specific appropriation for payment for all telegraph and telephone messages sent or received by the Indian Office, but to let each disbursing officer in the field pay for other messages sent or received by him from the appropriation used for the general support of his agency, school, or project. Divided up among the various activities the expense to any one of them need not be appreciable.

Having a specific appropriation for this purpose in the field service complicates the bookkeeping and accounting and frequently causes embarrassment, because such expenses can not always be anticipated, and at times the disbursing officer has no funds in hand applicable for their payment. As a consequence, he either lets these little bills go unpaid until he can get proper funds placed to his credit or pays them out of other funds in hand, which causes a suspension in his accounts.

It frequently happens that an officer or employee when traveling on official duty or making some special investigation will incur expenses amounting to a hundred dollars or more, included in which will be one or two items for telegraph or telephone messages. Under present conditions these little items must be segregated from all the others and paid from the specific appropriation for telegraphing and telephoning, although they are just as incidental to the work in hand as the rest of the expenses. There is no good reason why this should be so, and an immense amount of complication and trouble will be saved by the proposed change in the appropriation.

The CHAIRMAN. The next item is:

For witness fees and other legal expenses incurred in suits instituted in behalf of or against Indians involving the question of title to lands allotted to them, or the right of possession of personal property held by them, two thousand dollars: *Provided*, That no part of this appropriation shall be used in the payment of attorney fees.

That is a decrease of \$500 from last year. Why is that?

Mr. MERITT. We reduce each item wherever possible.

The CHAIRMAN. Does this include Oklahoma Indians?

Mr. MERITT. It covers the entire Indian country.

Mr. FERRIS. That does not include the direct appropriation that is being made to the Department of Justice for prosecution of Indians?

Mr. MERITT. No; that department has separate appropriations. I might say that none of this appropriation is for the Five Civilized Tribes. It is used largely to aid what are known as fourth-section

allottees, who go out on the public domain and take allotments. A white man will contest the allotment wanted by the Indian.

The CHAIRMAN. Does this appropriation apply to the White Earth Reservation suits?

Mr. MERITT. No, sir.

The CHAIRMAN. You get that work done by the Department of Justice?

Mr. MERITT. Yes, sir.

The CHAIRMAN. How is that paid?

Mr. MERITT. The expenses of the representatives of the Department of Justice are paid for out of the appropriations provided for that department.

The CHAIRMAN. It is appropriated for in the appropriations for the Department of Justice?

Mr. MERITT. Yes, sir.

Mr. FERRIS. What is the necessity for making appropriations direct to the Attorney General's office to carry on certain prosecutions in the Five Civilized Tribes, the White Earth, and perhaps others, and then making an appropriation here which purports to be general in character? What has been the good reason for that procedure?

Mr. MERITT. This is a very small item. We are asking for only \$2,000, but, of course, that would not cover the cost of the litigation. This is simply to aid in procuring evidence to help the Indians to protect the allotments they have selected.

Mr. FERRIS. That is true; but that hardly answers the question, Mr. Meritt. What I am trying to get at is why was it necessary for the Department of Justice to go to the regular Appropriation Committee to get appropriations made direct to their department independent of the Indian Office to carry on prosecutions in different parts of the country, and why should not moneys needed for that purpose asked for by your department all be carried in one bill?

Mr. MERITT. As I understand it, Mr. Ferris, the Department of Justice is supposed to represent under existing law all the other departments in suits in law and in equity, and whenever we have litigation we write to the Attorney General and ask him to represent our department and the Indians.

Mr. FERRIS. Undoubtedly that is true. On a request made by you you would in the natural course of things be expected to furnish the money to do it with, but these appropriations that are asked for by the Department of Justice, which come through the regular Appropriation Committee independent of this committee, I wondered what part the Indian Office played in that.

Mr. MERITT. We do not pay the expenses of the Department of Justice in these suits.

Mr. FERRIS. You do not pay the expenses at all?

Mr. MERITT. No, sir.

Mr. FERRIS. Then what is this item for?

Mr. MERITT. The Department of Justice would not represent us in reference to this particular item because this is a matter that would be contested before the General Land Office. There would be a contest between the Indian and the homesteader, so the Department of Justice would have nothing to do with the contests that might arise under this item. A large amount of this money was

expended in connection with the Kickapoo suits down in Oklahoma. In support of this item I submit the following justification:

*Court costs, etc., in suits involving lands allotted to Indians.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$2,500. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	2,500. 00
Amount expended-----	2,094. 29
Unexpended balance-----	405. 71
Analysis of expenditures:	
Traveling expenses-----	1,725. 34
Court costs, stationery, etc-----	368. 95
	2,094. 29

APPROPRIATION FOR COURT COSTS FOR FISCAL YEAR ENDING JUNE 30, 1912.

The amount appropriated for the fiscal year 1912, viz, \$2,500, has been apportioned. Two thousand dollars is asked for 1913.

This appropriation is needed in connection with the contests against Indian allotments on the public domain where it becomes necessary, in order to protect the interests of the Indians, to send a representative of the office to the place of hearing, and in the payment of witness fees incident to such contest proceedings.

It is also found necessary to very frequently call upon the Department of Justice to represent the Indians in suits, and in some of these cases expenses are incurred for which the Department of Justice has no funds available. Money should be appropriated to meet the necessary expenses to protect the property rights of the Indians.

The CHAIRMAN. The next item is:

For expenses of the Board of Indian Commissioners, five thousand dollars, including not to exceed three hundred dollars for office rent.

This year you ask for \$5,000. Last year it was \$4,000. What is the reason for that increase?

Mr. MERITT. Mr. Chairman, the existing law, found in sections 2039 to 2042 of the Revised Statutes, requires certain duties to be performed by the Board of Indian Commissioners. That board feels that the amount appropriated is not sufficient to enable them to carry on their work properly, and this increase of \$1,000 would be very acceptable to that board. The board is composed of several very prominent and eminent citizens of the United States who have a friendly interest in Indian matters, and as long as the law requires them to perform certain duties they believe they should have sufficient funds to enable them to perform those duties properly.

I should like to submit a justification for that item, as follows:

*Expenses of Indian commissioners.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$4,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	4,000. 00
Amount expended-----	4,000. 00
Analysis of expenditures:	
Employees-----	2,978. 89
Traveling expenses-----	474. 02
Telephoning and telegraphing-----	39. 00
Stationery and office supplies-----	233. 09
Office rent-----	275. 00
	4,000. 00

## BOARD OF INDIAN COMMISSIONERS.

Amount asked for, \$5,000.

Congress, through the Revised Statutes (secs. 2039-2042) of the United States and several acts, established the Board of Indian Commissioners. In order that such board may accomplish the purpose for which organized, it is necessary that funds be placed at its disposal to cover the salary of its secretary, traveling expenses, rental of office quarters, and other incidental expenses which arise in the conduct of its work.

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DEPARTMENT OF THE INTERIOR,  
BOARD OF INDIAN COMMISSIONERS,  
*Washington, D. C., November 7, 1911.*

The COMMISSIONER OF INDIAN AFFAIRS,  
*Washington, D. C.*

SIR: We have been notified by the Secretary of the Interior that in your estimates for the fiscal year 1913 you have included \$5,000 for the expenses of the Board of Indian Commissioners. It is needless to say that this act of courtesy on your part is highly appreciated.

As you are aware, the law imposes on us the duty of cooperating with you in the purchase and inspection of supplies for the Indian service. This should involve the presence of one or more of our members at the opening of bids, the awarding of contracts, and the inspection of goods. The law also implies that the board shall "visit and inspect agencies and other branches of the Indian service." Besides, it is necessary for us to hold at least two meetings annually, and, as our members are widely scattered, much travel is involved.

It is therefore obvious that to properly fulfill its duties the board must incur very considerable traveling expenses. The fact that we have not been represented on certain occasions when bids have been opened or supplies inspected (which has occasioned some criticism) has been in no small measure due to the fact that after paying necessary office expenses the amount annually available for travel by members of the board has since 1906 averaged approximately \$500. When it is considered that the traveling expenses incident to two full meetings of the board during a year would alone approximate \$400, it is evident that we have been able to discharge our additional duties of inspection in only a superficial way.

At our meeting, October 18-20, the importance of this duty of inspection was thoroughly recognized, and the secretary was instructed on behalf of the board to arrange with you for the greatest degree of cooperation possible under our appropriation.

As the members of the board serve without compensation and are often at considerable personal expense for incidentals not allowed by the Government, they have felt rather keenly the limitations imposed by an annual appropriation of only \$4,000. Nevertheless, as evidence that they have lost none of their interest, at their annual meeting last February a special committee was appointed "to consider and report as to what steps ought to be taken to more fully realize the purposes for which the board exists, and to increase its efficiency." Recommendations of that special committee have been adopted, and, so far as they concern office methods and contemplate constructive cooperation with all forces wisely directed toward the solution of the Indian problem, are already being carried out; but the committee definitely pointed out that only by the use of more money for traveling could the board hope to measure up to what may reasonably be expected of it.

For this reason we particularly appreciate your action in recommending an increase of \$1,000 in its annual appropriation. Even \$5,000 will not suffice for what the board should do annually; but if Congress approves that figure, we will honestly endeavor to expend the amount in discharging our most important duties in an up-to-date and intelligent manner.

Very respectfully,

THE BOARD OF INDIAN COMMISSIONERS,  
By H. C. PHILLIPS, *Secretary.*

## BOARD OF INDIAN COMMISSIONERS.

SEC. 2039. There shall be a Board of Indian Commissioners, composed of not more than ten persons, appointed by the President solely from men eminent for intelligence and philanthropy, and who shall serve without pecuniary compensation.

SEC. 2040. The board of commissioners mentioned in the preceding section shall have power to appoint one of their own number as secretary, who shall be entitled to such reasonable compensation as the board may designate, payable from any moneys appropriated for the expenses of the board.

SEC. 2041. The board of commissioners mentioned in section two thousand and thirty-nine shall supervise all expenditures of money appropriated for the benefit of Indians within the limits of the United States and shall inspect all goods purchased for Indians, in connection with the Commissioner of Indian Affairs, whose duty it shall be to consult the commission in making purchases of such goods.

SEC. 2042. Any member of the Board of Indian Commissioners is empowered to investigate all contracts, expenditures, and accounts in connection with the Indian service, and shall have access to all books and papers relating thereto in any Government office; but the examination of vouchers and accounts by the executive committee of said board shall not be a prerequisite of payment.

The CHAIRMAN. In that connection, has this board made a report to you in the last year?

Mr. MERITT. That report is published, and they have already published their report for this year, and it is filed with the Secretary of the Interior, and the Indian Bureau is furnished copies of the report.

The CHAIRMAN. As I understand it, one of the main duties is that attendant upon the opening of bids for goods and supplies furnished to the Indians?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Can you state whether or not they had any agent present at the various places when the bids were opened last year?

Mr. MERITT. No, sir.

The CHAIRMAN. Is there any record in your office to show who was present?

Mr. MERITT. I know that a representative of the board is very frequently present at the opening of bids in the Indian Office.

The CHAIRMAN. Have you ever been present yourself when that was done?

Mr. MERITT. Sometimes I am present; but it is not part of my duties.

The CHAIRMAN. Is there any official document in the office that would show who attended the opening of these bids or contracts?

Mr. MERITT. I do not know that we would have any official information in the office in regard to the matter.

Mr. FERRIS. These commissioners are appointed by the President of the United States?

Mr. MERITT. Yes, sir.

Mr. FERRIS. They draw no salary, do they?

Mr. MERITT. They draw no salary.

Mr. FERRIS. The \$5,000 is for their expenses?

Mr. MERITT. The \$5,000 is for expenses of rent and heat and light and expenses of the secretary, and the item would also include traveling expenses.

Mr. FERRIS. Do they incur any other expense anywhere other than this \$5,000 for which the Government is responsible?

Mr. MERITT. No, sir.

Mr. FERRIS. There is no appropriation or any amount carried in any other bill, or any other amount paid them?

Mr. MERITT. No, sir; and I am inclined to believe they expend more than is appropriated here out of their private funds.

Mr. FERRIS. Are you acquainted with the personnel of this board?

Mr. MERITT. I have met a few of the members of the board.

Mr. FERRIS. How many members are there?

Mr. MERITT. Possibly 10.

Mr. FERRIS. If you know, are they appointed by reason of any superior knowledge of Indian matters?

Mr. MERITT. I could not tell you that.

Mr. FERRIS. Are you sufficiently well acquainted with the personnel of that board to know whether or not they have superior knowledge on Indian matters?

Mr. MERITT. I know there are some very eminent men who are members of the board.

Mr. FERRIS. But are they eminent on Indian matters or other matters?

Mr. MERITT. They occupy an important position in the affairs of their respective States.

Mr. FERRIS. But as to whether or not they have superior qualifications as experts in Indian matters you do not know?

Mr. MERITT. No, sir.

Mr. FERRIS. Who would know about that?

Mr. MERITT. The Commissioner of Indian Affairs would know.

Mr. FERRIS. How long have the present members served on the board, if you know?

Mr. MERITT. Some of the members have served for a long time.

Mr. FERRIS. Are they reappointed every four years, or do they serve for life unless removed for cause?

Mr. MERITT. I do not believe they are appointed for a specified term.

Mr. FERRIS. They are removable on the order of the President, are they?

Mr. MERITT. I think so.

Mr. FERRIS. Do they appear to be active and beneficial to the Indian service in their work?

Mr. MERITT. I think they are beneficial to the Indian service.

Mr. FERRIS. There is no friction between the two services?

Mr. MERITT. No, sir; no friction whatever.

Mr. FERRIS. What did you say was the particular reason for raising the amount from \$4,000, as it has been before, to \$5,000?

Mr. MERITT. It is claimed by the board that the amount appropriated is not sufficient to meet their expenses.

Mr. FERRIS. Do they contemplate a broadening of the scope of their duties, or is their point that they have been running behind heretofore?

Mr. MERITT. They feel if they can get this increased amount requested they can be more active in performing the duties required of them by law.

Mr. BURKE. The board has, during the past year, secured the services of a new secretary, has it not?

Mr. MERITT. Yes. Until recently Dr. Gates was the secretary. Mr. Phillips is now the secretary.

Mr. BURKE. Is it now the purpose of the board to have an active secretary?

Mr. MERITT. So I am informed. Before we take up the next item I should like to call the attention of the committee to the report contained in Document No. 209, Sixty-second Congress, second session, regarding Indian schools and agency properties, showing the cost investment in school and agency properties entitled to share in the appropriations, general and specific, made in the Indian appropriation bill.

The CHAIRMAN. How large a document is it?

Mr. MERITT. The document is already printed, and it contains a great deal of information regarding Indian school buildings, and I think the committee will find a great deal of valuable information in the document.

Mr. FERRIS. Did you want to put that in the record?

Mr. MERITT. No; I merely wanted to call attention to it. Also, you will find in Document No. 210, Sixty-second Congress, second session, a statement of the cost of survey and allotment work on Indian reservations. Attention is also invited to Document No. 208, Sixty-second Congress, second session, regarding moneys expended for irrigation and drainage in the Indian service.

The CHAIRMAN. The next item is "For payment of necessary interpreters, \$8,000. I see you have omitted this—stricken it out.

Mr. MERITT. The reasons for striking out this item are as follows:

*Pay of interpreters.*

Fiscal year ending June 30, 1912:

Amount appropriated-----	\$8,000.00
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Fiscal year ended June 30, 1911:

Amount appropriated-----	8,000.00
Amount expended-----	6,618.18

Unexpended balances-----	1,381.82
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Analysis of expenditures:

Employees-----	6,618.18
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REASONS FOR CUTTING OUT APPROPRIATION FOR PAY OF INTERPRETERS.

This appropriation is a survival of the days when few, if any, Indians spoke the English language, and an interpreter was needed at every agency as a medium of communication.

There are few placed now where the employment of regular interpreters is necessary, most of the younger generation of Indians being able to speak English.

They are still needed at some places, and it is generally necessary to employ interpreters temporarily in connection with allotting and irrigation work, special investigations, etc., but they can always be paid from the appropriation used for other expenses of the agency or special work. Each activity can bear its part of the expense from other available funds without feeling the burden to any appreciable extent.

There is no more reason now why there should be a specific appropriation for interpreters than for clerks or teachers or laborers. It complicates the book-keeping and accounting without being of any particular value.

The CHAIRMAN. The next item is:

For payment of Indian police, including chiefs of police at not to exceed fifty dollars per month each, and privates at not to exceed thirty dollars per month each, to be employed in maintaining order, and for the purchase of equipments and rations for policemen at nonration agencies, two hundred thousand dollars.

That is the same amount as asked for last year.

Mr. FERRIS. Before you pass that I will say that I had a letter from the local Indian superintendent in Oklahoma, and I had several conversations with him while I was home last summer to the effect that the law had increased the salary of the Indian chief of police to \$50 from \$30, and also the privates from \$20 to \$30 a month without increasing the total. That happened last year, and the agent at the Kiowa Agency, in my State, said that the act recited that the Indians needed the increase, but there was no money to pay it, and he thought the totals ought to be changed, or the salaries ought to be changed back. I took that up with Mr. Abbott, and he caused the matter to be looked up, and he said that that was true, that the law had not increased the amount, and that in raising the salary their thought had been to increase the efficiency and to eliminate certain of the salaries. I accepted that as an answer, and I guess it is a good answer.

Mr. MERITT. You will see from the reading of the item in question that the salary is not to exceed \$50 per month for chiefs of police and \$30 per month for privates. That is the maximum amount to be paid. It is hoped by that wording of the bill to increase the efficiency of the service by getting more competent employees.

The CHAIRMAN. Can you tell us whether or not that has been done? How has he exercised this discretion which he has to pay them at "not to exceed \$30 per month each?" Has he put them down to the old basis?

Mr. MERITT. He has kept them down wherever it is possible to do so, but in cases like the Five Civilized Tribes it has been impossible to get chiefs of police for \$30 a month. It has been necessary to increase the salary in that particular part of the country.

The CHAIRMAN. Have you increased the salaries outside of Oklahoma?

Mr. MERITT. I could not say definitely, but I do not think there has been a general increase under this provision.

The CHAIRMAN. Can you give us a general statement, so that it may be a part of the record at this point, of the amount you spent last year and the States in which it was spent?

Mr. MERITT. That is shown in the justification which I submit:

*Pay of Indian police.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$200,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	200,000.00
Amount expended-----	186,572.39
Unexpended balance-----	13,427.61
Analysis of expenditures:	
Employees-----	166,893.65
Subsistence-----	4,554.83
Clothing-----	14,422.12
Hardware and equipment-----	399.54
Forage-----	265.25
Miscellaneous-----	37.00
	186,572.39



## INDIAN POLICE.

Amount asked for, \$200,000.

Over 660 police officers are being employed in order to maintain order on the various reservations throughout the United States. By the means of this body of men much has been accomplished toward bettering conditions on the various reservations. With the opening of the reservations throughout the country many questionable characters are drawn toward the Indian country and the necessity for the continuance of this force is more apparent. Out of this fund also is paid the equipment for the police and rations at nonration agencies.

Mr. BURKE. You do not want us to understand that any of the police of the Five Civilized Tribes are paid from this fund, do you?

Mr. MERITT. Yes, sir.

Mr. BURKE. Are you sure about that?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Does not the justification that you have furnished show what was paid?

Mr. BURKE. Only in gross amounts.

Mr. MERITT. We do not go into detail and show the amount of money spent at each agency.

The CHAIRMAN. The next item is "For compensation of judges of Indian courts, \$12,000."

Mr. MERITT. I should like to submit a justification for this item, as follows:

*Pay of judges, Indian courts.*

Fiscal year ending June 30, 1912, amount appropriated-----	12,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	12,000.00
Amount expended-----	10,927.56
Unexpended balance-----	1,072.44
Analysis of expenditures, employees-----	10,927.56

## JUDGES OF INDIAN COURTS.

Amount asked for, \$12,000.

This organization is an important link in the superintendent's means of maintaining order on the reservation. There are 126 Indian judges throughout the country. By this means the Indians are taught to recognize authority and law and to realize their responsibility not only to one another but to the entire community and the Government. As an educational institution it is as important a factor to the adult Indian as the school is to the minor. Many petty offenses are handled by this body under rules and regulations prescribed by the Secretary of the Interior.

Mr. MERITT. The amount requested is the same as last year. The police judges on Indian reservations tend toward keeping order on the various reservations, and it makes the Indians feel that they have a direct interest and duty in keeping order.

Mr. FERRIS. Do you not find those courts as a rule corrupt—the Indian courts?

Mr. MERITT. They are absolutely under the control and jurisdiction of the superintendent, and when they show a disposition to be corrupt we change the judges.

Mr. BURKE. They settle many little petty differences on the reservation.

Mr. MERITT. Simply the petty quarrels among the Indians on the various Indian reservations.

The CHAIRMAN. Could not the courts of the country perform the services performed by these judges in a more satisfactory manner?

Mr. MERITT. The decisions of the Indian police courts are approved by the superintendent before they go into effect.

Mr. FERRIS. And are of no validity until approved by him?

Mr. MERITT. No, sir. It helps to make the Indians believe that they have an important part in the proper administration of their affairs.

Mr. FERRIS. What reservations have these courts?

Mr. MERITT. The following table will give this information:

	1911	1912		1911	1912
Police employed in Five Civilized Tribes, Indian service 1911 and 1912:			Judges employed in Indian service, 1911 and 1912—Continued.		
Union Agency	36	33	Moqui	5	5
Judges employed in Indian service, 1911 and 1912:			Navajo	3	3
Blackfeet	3	3	Neah Bay	2	2
Cahuilla	1		Nevada	2	2
Camp McDowell	1	1	Otoe	2	
Cheyenne River	4	4	Pala		1
Cœur D'Alene		1	Pechanga	1	
Colville	3	3	Pima	8	3
Crow	3	3	Pine Ridge	6	6
Crow Creek	3	2	Red Lake		2
Cushman	3	1	Rancon	1	
Flathead	3	3	Rosebud	3	3
Fort Apache	2	2	Sac and Fox, Iowa	1	1
Fort Belknap	3	3	San Carlos	3	3
Fort Berthold	3	3	San Juan	3	2
Fort Hall	3	3	San Xavier	3	3
Fort Peck	3	3	Shivwits	1	1
Fort Totten	3		Soboba	1	2
Fort Yuma		2	Standing Rock	6	5
Hoopa Valley	3	2	Tongue River	3	3
Kaibab	1	1	Tulalip	5	5
Keshina	3	2	Turtle Mountain	3	3
Lac du Flambeau	3	2	Umatilla	3	1
La Jolla	1		Volcan (Mesa Grande)		2
Leech Lake	3	3	Walker River	1	1
Leupp	2	2	Warm Springs	3	3
Lower Brule	3	1	Western Navajo	3	3
Maki	3	2	Western Shoshone	3	2
Martinez	1	1	Yakima	3	3
Mesa Grande	2		Total	140	124
Moapa River	1	1			

The salaries of the Indian judges will average \$84 per year for each person.

In the fiscal year 1911 there was expended in the Five Civilized Tribes (Union) for Indian police \$8,500.94.

For the fiscal year 1912 there has been hypothecated for expenditure in the Five Civilized Tribes for Indian police \$9,556.

The CHAIRMAN. How is this money paid? Who makes out the vouchers?

Mr. MERITT. The superintendents of the reservations. They are paid very small amounts. It is simply a nominal compensation.

The CHAIRMAN. Are they full-blooded Indians or half-breeds or white men, and how are they selected?

Mr. MERITT. We usually try to have selected the ablest men among the Indians on the reservation.

The CHAIRMAN. Are they selected by petition from the Indian tribes?

Mr. MERITT. They are selected by the Indians through their tribal councils.

The CHAIRMAN. It is always a member of the tribe that is appointed a judge?

Mr. MERITT. Yes, sir.

The CHAIRMAN. The next item has been stricken out and an item in lieu thereof has been inserted, as follows:

For pay of special agents at two thousand dollars per annum; for traveling and incidental expenses of such special agents, including sleeping-car fare and a per diem of three dollars in lieu of subsistence when actually employed on duty in the field or ordered to the seat of government; for transportation and incidental expenses of officers and clerks of the Office of Indian Affairs when traveling on official duty; for pay of employees not otherwise provided for; and for other necessary expenses of the Indian service for which no other appropriation is available, one hundred and twenty-five thousand dollars.

An increase of \$10,000 is asked for. Can you give us the reason for that?

Mr. MERITT. I should like to submit a justification for this item, as follows:

*Contingencies, Indian Department.*

<b>Fiscal year ending June 30, 1912:</b>	
Amount appropriated-----	<u>\$115,000.00</u>
<b>Fiscal year ended June 30, 1911:</b>	
Amount appropriated-----	115,000.00
Amount expended-----	100,084.63
Unexpended balance-----	<u>14,915.37</u>
<b>Analysis of expenditures:</b>	
Employees-----	47,920.70
Repair material-----	812.82
Heat, light, and power-----	802.00
Subsistence-----	211.40
Hardware, furniture, etc-----	1,678.36
Medical supplies-----	347.25
Purchase of live stock-----	460.00
Forage-----	3,341.27
Travelling expenses-----	38,170.84
Telephoning, etc-----	1,168.49
Stationery and office supplies-----	4,188.73
Miscellaneous-----	1,482.77
	<u>100,084.63</u>

**CHANGE IN FORM OF ITEM "CONTINGENCIES, INDIAN DEPARTMENT."**

The item as it appears in the act of 1912 is badly arranged and so indefinite as to make it difficult in some cases to determine whether expenses should be paid from this or some other appropriation. This is especially true with respect to "traveling and incidental expenses of \* \* \* other officers and employees of the Indian service."

It is, obviously, not intended that all traveling expenses shall be paid from this appropriation; if they were, there would not be enough for this purpose alone, to say nothing of anything else; yet with such a specific provision for such expenses there is always a doubt as to what appropriation should be used. These doubts, with the ever-present possibility of a disallowance by the accounting officers of the Treasury, will be eliminated by the proposed change in phraseology.

*Expenditures for the fiscal year 1911 from the appropriation "Contingencies, Indian Department, 1911."*

Miscellaneous allotment expenses-----	\$308. 00
Irrigation-----	48. 86
Inspection-----	30, 513. 21
Travelling expenses at superintendencies-----	17, 520. 32
Salaries of employees at superintendencies-----	28, 379. 16
Miscellaneous-----	<sup>1</sup> 25, 315. 08
Total-----	100, 084. 63

The CHAIRMAN. Why did you find it necessary to rewrite this—to have this change in the wording?

Mr. MERITT. The law as it has read before we consider badly worded and rather indefinite, and it is in order to make it more specific that we have redrafted the item.

The CHAIRMAN. Does it include any item not included in the old law?

Mr. MERITT. This is the contingency fund of the Indian Office, and it is the catch-all for items that are not otherwise provided for. When contingencies come up we pay them out of this item. We also pay our special agents from this item, including their traveling and other expenses.

Mr. BURKE. I notice that you estimate an increase of \$10,000. What is the reason for that?

Mr. MERITT. We find that this fund runs short every year, and we are asking for a small increase so that at the close of the fiscal year we will not be cramped for funds to carry on the necessary work of the bureau.

Mr. BURKE. This paragraph has been changed, and I should like to know the purpose for making the change. What difficulty did you have last year in performing the work and paying the expenses contemplated by this item?

Mr. MERITT. We were constantly in fear last year that the Comptroller of the Treasury would hold us up on some of our accounts for the reason that it might be interpreted that the traveling expenses of all Indian officials should be paid out of this particular item, including the other work that must be done under this item, and we have redrafted the bill so as to make it read, "For traveling and incidental expenses of such special agents," etc.

Mr. BURKE. That would be the two special agents, would it not? You say that they pay the special agents out of this item?

Mr. MERITT. At \$2,000.

Mr. BURKE. Oh; it is not limited?

To what extent does the Indian Office send out clerks from the office officially to the different parts of the country and pay their expenses?

Mr. MERITT. The office has sent out six or eight of the clerks during the last year who have charge of important work to learn the conditions in the field, so that they can handle the questions properly when they come up for administrative action in the office. For example, the gentleman in charge of the allotting section went out in the field this year to investigate certain allotting work, and as a result of that trip he has a wider knowledge of the work coming under

<sup>1</sup> This includes \$5,251.63 expenses of 3 competency commissions.

his jurisdiction in the office and is better equipped to handle it properly.

Mr. BURKE. The commissioner spends a good deal of time in the field, does he not?

Mr. MERITT. The commissioner and the assistant commissioner.

Mr. BURKE. The commissioner and the assistant commissioner spent a great deal of time upon the different reservations during the past year, did they not?

Mr. MERITT. Yes, sir. We have a statement here that will show the expenses of officials of the Interior Department in the field—Document No. 318, Sixty-second Congress, second session.

Mr. BURKE. You have numerous special agents and supervisors who are in the field a great deal of the time?

Mr. MERITT. Yes, sir.

Mr. BURKE. And you still think it is necessary to send out the heads of different divisions on the different reservations in order that they may personally observe methods?

Mr. MERITT. Occasionally it is necessary that the chiefs of sections and divisions make a trip to certain Indian reservations to acquire an accurate knowledge of the conditions in order to handle them properly in the office.

Mr. BURKE. Is it not the purpose of increasing this appropriation to enable you to more generally practice the sending out of clerks from the office than you have heretofore?

Mr. MERITT. No, sir; that was not the idea in asking for the increase.

Mr. BURKE. I notice that the item contains a provision "for transportation and incidental expenses of officers and clerks of the Office of Indian Affairs when traveling on official duty." This is the first time that language has been suggested, and I was wondering if you were not asking for an increased appropriation, expecting to more generally practice the sending of clerks out than you have heretofore.

Mr. MERITT. That is not the idea in asking for the increase. You will notice that the language of the old law reads "For traveling and incidental expenses of the Commissioner of Indian Affairs and other officers and employees in the Indian service, including clerks detailed from the Bureau of Indian Affairs for special service in the field." Therefore we are not asking for any additional appropriation along those lines.

Mr. BURKE. You think there have been six or eight clerks during the past year who have gone into the field and who have been paid their expenses under this item?

Mr. MERITT. Yes, sir.

Mr. BURKE. In every instance you think it was necessary for the good of the service to send them out?

Mr. MERITT. I think that the knowledge they gain out in the field is well worth the small cost of the trip.

Mr. BURKE. You will appreciate, I presume, that it is establishing somewhat of a dangerous precedent to authorize clerks of a department to be sent generally throughout the country and have their expenses paid, and it ought not be authorized to any considerable extent, in my judgment.

Mr. MERITT. There will be an absolute limitation on the amount that can be expended because of the other work required under this

item, and a very small part of this appropriation will be used for that purpose. I might say that it is my impression that under the law the other departments of the Government have authority to send the men employed in their departments out over the United States to attend to the duties of those departments.

The CHAIRMAN. Have you not now men in the field who could do this service?

Mr. MERITT. They could not convey the exact information to the mind of the clerk or official in the department who is responsible for this particular class of work. For example, referring again to the trip of the clerk in charge of allotment work. He visited several reservations and brought back distinct ideas regarding the allotment service, and as a result has been able to save some money for the Government and to increase the efficiency of that service.

The CHAIRMAN. What do you mean by the term "pay of special agents"? What does that term specially include?

Mr. MERITT. That includes inspecting officials to visit different reservations and make investigations.

The CHAIRMAN. Then, instead of using the agents already on the ground, you propose to use special agents such as the Secretary of the Interior or the Commissioner of Indian Affairs may suggest should be sent out?

Mr. MERITT. Sometimes complaints are made against certain superintendents and we send the special agents there to investigate these complaints.

Mr. FERRIS. Every reservation in the United States is presided over by an agent with a coterie of officials, is it not?

Mr. MERITT. They are known now as superintendents. We have only one agent in the service at this time, I believe.

Mr. FERRIS. You have a man in charge with a coterie of officials to look after these matters?

Mr. MERITT. Yes, sir.

Mr. FERRIS. These special agents are to check them up and, in a measure, to perform a duplicate service, are they?

Mr. MERITT. These special agents are not required to go on a reservation and perform administrative duties. They are simply required to go there and investigate the work of the officials on that reservation and check up the work and report any deficiencies to the office, so that the commissioner may be able to keep in close touch with the work of the various field officials and employees.

Mr. FERRIS. They do not have power to remove restrictions, do they?

Mr. MERITT. No, sir.

Mr. FERRIS. They do not have power to finally adjudicate any matter, do they?

Mr. MERITT. No, sir.

Mr. FERRIS. They do not have power to close up or conduct sales of Indian lands, do they?

Mr. MERITT. No, sir.

Mr. FERRIS. If this appropriation of \$125,000 were made, what agencies will these special agents visit, and where is it proposed to use the agents that this appropriation provides for?

Mr. MERITT. That would depend on the exigencies of the service. For example, we have about 6,000 employees in the Indian service

and about 145 superintendents scattered all over the western country, and conditions may arise on a reservation at any time that would require the attendance on that reservation of one of these special agents in order to check up the work of the superintendent or some one of his employees.

Mr. FERRIS. You have 145 superintendents corresponding to what were formerly known as the Indian agents?

Mr. MERITT. Yes, sir.

Mr. FERRIS. You have Indian police in the field performing their duty; you have matrons in the field performing their service; you have farmers in the field performing their service. Would it not be possible to gather sufficient information for the benefit of the head of the Indian office in Washington from some of those various forms of service without having Congress provide for these special agents at all?

Mr. MERITT. I do not think so.

Mr. FERRIS. Could you not exact of the farmer monthly or bi-monthly reports, or at least quarterly reports, to the superintendent, and could you not make similar exactions of your matrons, and in that way secure the information as to what is actually going on in the field without making this appropriation for these special agents?

Mr. MERITT. Those officials are required to make reports to the superintendent in whose jurisdiction they may be working, but you will readily understand that where there are 6,000 employees under the jurisdiction of 145 superintendents handling property rights involving millions of dollars that some corruption is sure to exist, and it is necessary to have this inspecting force to keep in close touch with the conditions existing on reservations in order that frauds may not be perpetrated on the Indians.

The CHAIRMAN. How many inspectors have you in the field now?

Mr. MERITT. We have under the jurisdiction of Mr. Holcombe, who is the chief inspecting officer—Mr. Ellis, Mr. McConihe, Mr. Wadsworth, Mr. Pollock, Mr. Hinton, and Mr. Creel. Mr. Hinton is doing special work on the White Earth Reservation, and Mr. Creel is doing special work among the Indians of Utah, so the investigating force is somewhat limited. That does not include the supervisors of the schools.

The CHAIRMAN. Have you not made the supervisors of the schools in many instances the agent on that reservation?

Mr. MERITT. No, sir.

The CHAIRMAN. Have not the agents been done away with in recent years?

Mr. MERITT. The agents' positions have been changed to the position known as superintendent, and the superintendents perform not only the duties of the superintendents of the schools, but the duties of the agents as well. We have the school service districted throughout the country. We have what are known as six districts under the supervision of Mr. Peairs, who was formerly superintendent of Haskell Institute. There are six school supervisors who have charge of six districts.

For instance, Mr. William M. Peterson is in charge of district No. 1, which includes Colorado, New Mexico, Utah, Wyoming, western Oklahoma, and Kansas. Mr. Frank A. Thackery is in charge of district No. 2, which includes Arizona, California, and

Nevada. William R. Rosecrans is in charge of district No. 3, which includes Nebraska, North Dakota, and South Dakota. Fred A. Baker is in charge of district No. 4, which includes Idaho, Montana, Oregon, and Washington. Charles F. Peirce is in charge of district No. 5, which includes Minnesota, Wisconsin, Michigan, Iowa, Pennsylvania, North Carolina, and Virginia. Mr. Brown is in charge of district No. 6, which includes eastern Oklahoma.

The CHAIRMAN. Are they paid out of this appropriation?

Mr. MERITT. No; these people are paid out of "school support." They are in charge of the Indian schools of the country.

The CHAIRMAN. Is there anything to prevent them from doing the inspecting work in connection with this work here in addition to the six inspectors you already have? Could you not require them to make any kind of a report that you can require the regular inspectors to make?

Mr. MERITT. They are known as school men.

The CHAIRMAN. But they are in the employment of the Government?

Mr. MERITT. Yes, sir.

The CHAIRMAN. But they travel and have their traveling expenses provided for; is that not true?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Then, there are 12 general inspectors that you have that the Indian Office can control at any time?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Do you not think that is sufficient in addition to the six that you already have employed—the regular agents and school superintendents and other employees?

Mr. MERITT. The 12 inspectors include both the school supervisors and the special agents. That is our inspection force now. We think they are sufficient to perform the work now required of them.

Mr. FERRIS. If this section should be stricken out, and in lieu thereof a direct appropriation of \$50,000 made, and the commissioner given full jurisdiction over it to use for himself and his associates here in the Indian Office in investigating irregularities of a nature sufficiently grave which the local superintendents could not reach, what disaster would follow to the Indian service?

Mr. MERITT. I would rather see the reduction made on almost any other item in the bill, for the reason that this item already is hardly sufficient to meet the demands that are made on it by the service.

Mr. FERRIS. But you could, without any great sacrifice to the service, exact of these school inspectors and of these farmers and of these 145 superintendents the information you desire?

Mr. MERITT. The farmers and the superintendents are the very people that are going to be investigated by these special agents, and they would not likely furnish the office information that would injure their official standing. It has been found necessary to dismiss a number of superintendents during the last year, and the office could not have had the data necessary to take that action if it had been dependent on the reports submitted by the superintendents and the employees under the superintendent. It requires an outside man to go on a reservation and discover the irregularities there. In the Indian service, just like the employees in another service, some of them are liable to become corrupt.



Mr. FERRIS. That is undoubtedly true. But the thought suggested to me is this: I do not want to argue the matter in the record, but I do feel that I ought to say that you have an indeterminable lot of officers in the field already performing their various functions, and then to make these large appropriations for special agents who have no mission to perform other than to collect data regarding what other officials are doing, and who have no power to finally adjudicate any matter, it seems to me that those appropriations would be the proper ones to carve on rather than the others. In other words, to appropriate money either of the Federal Government or reimbursable from the Indian fund to men who must of necessity go to the very sources that they are investigating to get their information does not seem to me to be money well spent.

Mr. MERITT. I would say that, inasmuch as this matter involves a question of important policy, it should be answered by the commissioner.

Mr. BURKE. Mr. Meritt, in addition to the inspectors, supervisors, etc., that you have enumerated, there is also a force of special agents or inspectors under the Secretary, is there not?

Mr. MERITT. Yes, sir.

Mr. BURKE. They also do work along the same line that the inspectors do that are under the commissioner?

Mr. MERITT. That applies to two or three inspectors under the Secretary's immediate jurisdiction who investigate conditions on the Indian reservations and take up for special work certain Indian problems.

Mr. BURKE. When you say "two or three," do you mean two or three who do not do anything else than Indian work?

Mr. MERITT. They devote practically their entire time to Indian work.

Mr. BURKE. And inspectors that may be employed in other bureaus of the Interior Department would be in addition to these two or three?

Mr. MERITT. Yes, sir. The inspectors under the supervision of the Secretary are sometimes detailed to do other work than that connected with the Indian service.

The CHAIRMAN. Are the reports that they file in writing?

Mr. MERITT. Yes, sir.

The CHAIRMAN. There are two items here—one for work in "continuing the work of classifying and indexing the files of the Indian Office."

Mr. FERRIS. That is a supplemental estimate.

The CHAIRMAN. The next item is:

For pay of additional employees not otherwise provided for, at Chippewa Lake Superior, Fort Lapwai, New York, Sac and Fox of Iowa, Sac and Fox of Oklahoma, Seneca, Oklahoma, Shawnee, Shivwitz, Tomah, and Winnebago Agencies, twenty thousand dollars, or so much thereof as may be necessary.

What is the necessity for that?

Mr. MERITT. Those are employees that we want to provide for specifically at the reservations named.

The CHAIRMAN. Have you never had employees there before?

Mr. MERITT. We have had employees there, but they have been paid out of the contingency fund.

The CHAIRMAN. Do you reduce the general fund that they have been paid out of in making this special appropriation?

Mr. MERITT. It is the policy of the department to provide specifically for these employees rather than to pay them out of the general fund.

The CHAIRMAN. Then, do you reduce the general fund given in the appropriation by the amount here in making this special appropriation?

Mr. MERITT. The general estimates are reduced over \$100,000.

The CHAIRMAN. Was this taken into consideration when that reduction was made—this \$20,000?

Mr. MERITT. Yes, sir; including this \$20,000. Our estimates, including our supplemental estimates, make the amount requested this year less by over \$100,000 than was appropriated last year for the Indian service. We have prepared already proposed amendments to take the place of this item, to be inserted in the bill at the proper place.

Mr. BURKE. Do I understand that if this item is allowed it will not actually increase the employees who are at these reservations?

Mr. MERITT. By making this special appropriation you will not actually increase the appropriation or the employees for this class of work.

The CHAIRMAN. The next item is:

For support and civilization of Indians on reservations in Arizona and New Mexico, three hundred and eighty thousand dollars.

There is an increase of \$50,000 in that item. Can you give the reason for adding the \$50,000, Mr. Meritt?

Mr. MERITT. In support of this item I should like to submit a justification, as follows:

*Support of Indians in Arizona and New Mexico.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$330,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	330,000.00
Amount expended.....	312,844.63
Unexpended balance.....	17,155.37
Analysis of expenditures:	
Employees.....	169,937.39
Construction and repairs.....	2,431.31
Heat, light, and power.....	9,946.96
Subsistence.....	35,063.10
Dry goods, clothing, etc.....	1,310.37
Hardware, implements, etc.....	45,831.53
Furniture and household goods.....	1,063.25
Medical supplies.....	5,420.59
Live stock.....	5,445.00
Forage.....	23,365.42
Traveling expenses.....	3,149.77
Telegraphing and telephoning.....	266.65
Stationery.....	1,206.08
Sheep dip.....	3,139.25
Seed.....	2,614.82
Miscellaneous.....	1,403.14
Total.....	312,844.63

## SUPPORT OF INDIANS IN ARIZONA AND NEW MEXICO—AMOUNT ASKED FOR, \$380,000.

There are over 20 superintendencies in these two Territories, with a total population of over 56,000 Indians to be supported from this fund. These Indians are engaged largely in stock raising, and to assist them in this industry about \$40,000 has been expended for the purchase of stock, which has been issued to the Indians in order to place them on a self-supporting basis. Practically one-half of the amount appropriated this year was used for the payment of salaries, traveling expenses, fuel for the maintenance of the plants, forage for the stock, and other items necessary to properly administer the affairs of these Indians. The increase in the estimate is for the purpose of providing additional educational facilities for these Indians as a part of their civilization.

**Mr. MERITT.** We are asking for the increase of \$50,000 in this appropriation, so that we can use the extra \$50,000 in educating the Indians on the Navajo Reservation. We should like to have an amendment inserted here, to read about as follows:

*Provided, That the Secretary of the Interior, in his discretion, may use not to exceed fifty thousand dollars of this appropriation for educating Indian children on the Navajo Reservation.*

We will submit the exact wording of the amendment that we should like to have.

The **CHAIRMAN.** That would not change the figures you have here. It would simply be a direction that part of this money should be used for that purpose, which I understand you have not the right to do under the present law.

**Mr. MERITT.** No, sir; under the comptroller's decision we would be confined to the general school item of \$1,420,000, and we use this appropriation for agency purposes and not for school purposes. I have the exact language of the amendment we would like to offer to be inserted after the word "dollars," on page 12, line 26, of the bill.

We should also like to have an amendment passed striking out the words "on reservations," page 12, lines 24 and 25. That was an error made in the printing of the bill. It was not intended that those words should be included. We suggest that the item be amended by striking out those words, for the reason that there are a number of Indians in Arizona and New Mexico who are not on Indian reservations, and the comptroller may limit us in the use of this appropriation if those words are not stricken out.

**Mr. FERRIS.** I think that would be a wise provision.

The **CHAIRMAN.** If there be no objection, the words "on reservations" will be stricken out.

**Mr. BURKE.** I notice in your statement on page 95, Mr. Meritt, that it appears that about \$40,000 has been expended for the purchase of stock which has been issued to these Indians in order to place them on a self-supporting basis, and \$5,445 of that amount was expended last year, I should infer from this statement?

**Mr. MERITT.** Yes, sir.

**Mr. BURKE.** Is it expected that it will be necessary to continue to purchase additional stock?

**Mr. MERITT.** Yes, sir.

**Mr. BURKE.** Then you have not progressed far enough yet in furnishing them with stock and implements and other things to make them sufficiently self-supporting so that you can begin to reduce the appropriation?

Mr. MERITT. No, sir; I think the Indians of Arizona and New Mexico are in more urgent need of appropriations than the Indians of almost any other State. They are not like the Indians of the Northwest. They have not valuable farming lands and large reservations that can be thrown open and the proceeds used for their benefit.

Mr. BURKE. Is the \$35,663 item for subsistence to pay largely for rations that are issued to Indians who may need assistance?

Mr. MERITT. Yes, sir.

The CHAIRMAN. It is partly a gratuitous appropriation, is it not?

Mr. MERITT. The entire appropriation is gratuitous.

Mr. BURKE. The \$23,000 item for forage is to provide feed for the horses, I presume.

Mr. MERITT. To provide feed for the cattle, horses, and stock used in the Indian service, and also for the Indians if necessary.

Mr. BURKE. Have you any information personally that you can give to the committee as to what progress these Indians have made toward self-support?

Mr. MERITT. The Navajo Indians are gradually accumulating herds of sheep and cattle. They are making some progress. The Navajo Indians are very much in need of school facilities for their work. There are possibly several thousand Indian children living on the Navajo Reservations who are not provided with school facilities. The Indians in the Southwest are good workers. They are willing to work, but are handicapped on account of certain conditions and the lack of water.

Mr. BURKE. I understand you, then, to state that quite a considerable portion of these Indians are not now provided with any schools?

Mr. MERITT. Yes, sir.

Mr. BURKE. Why is it that an appropriation has not been suggested heretofore, if you know, for the construction and maintenance of schools among these Indians the same as others?

Mr. MERITT. I could not answer that question, Mr. Burke.

Mr. FERRIS. What is the size of the allotments of land to these Indians?

Mr. MERITT. There are comparatively few Indians in the Southwest who have been allotted.

Mr. FERRIS. Do they own reservations?

Mr. MERITT. Yes, sir; a number of reservations have been set aside by Executive order. You know that there are two classes of reservations; there are treaty reservations and Executive order reservations.

Mr. FERRIS. And most of these are Executive order reservations?

Mr. MERITT. Yes, sir.

Mr. FERRIS. And what would the amount be per capita if it were allotted and divided among them?

Mr. MERITT. If we allot those Indians under the general allotment act we will allot them not to exceed 40 acres of irrigable land, 80 acres of agricultural land, and 160 acres of grazing land.

Mr. FERRIS. What I was trying to get at was, if that was done, would they have large areas of surplus lands to sell, from which funds would be derived?

Mr. MERITT. The lands down there are not very valuable, because they have insufficient water. By the time we get through allotting the Indians we will allot them around the rivers and streams and take up the water.

Mr. FERRIS. The surplus will be of no value then?

Mr. MERITT. Very little value.

Mr. FERRIS. They have no trust funds?

Mr. MERITT. No, sir.

Mr. FERRIS. This whole expenditure of \$380,000, if made, is a gratuity?

Mr. MERITT. Yes, sir.

Mr. FERRIS. Last year you spent \$312,844.63 and had a residue of \$17,155.37.

Mr. MERITT. That does not mean that we did not expend the entire appropriation, but we only used that amount of the appropriation up to July 1.

Mr. FERRIS. You have outstanding obligations?

Mr. MERITT. After July 1 obligations may come in that will take that amount up.

Mr. FERRIS. Your idea, then, is to increase this appropriation \$50,000 and to put in a proviso that the Secretary, in his discretion, may use \$50,000 for the education of those remnant roving bands of Navajos?

Mr. MERITT. Yes, sir.

The CHAIRMAN. He has no authority of law now to do that under the general act.

Mr. MERITT. We have authority of law to use the appropriation contained in the item in the general appropriation bill known as "Indian school support," but it is not sufficient to cover the entire field. We use as much of that appropriation as we can spare, and at the same time meet the conditions and needs in other parts of the Indian country.

Mr. BURKE. It comes back to the question, which we had up last year, whether these appropriations for general education among the Indians ought not to be in one sum rather than having them in different items. For instance, you are coming now to the item of \$39,900. That is an Indian school. That is not a nonreservation school, is it?

The CHAIRMAN. We will take that up next.

Mr. MERITT. It is classed as a nonreservation school.

The CHAIRMAN. Will you explain the reason for the next item:

For support and education of two hundred Indian pupils at the Indian school at Fort Mojave, and for pay of superintendent, thirty-six thousand six hundred dollars; for general repairs and improvements, three thousand three hundred dollars; in all, thirty-nine thousand nine hundred dollars.

I see two or three amendments there. Will you explain to us the reason for those amendments?

Mr. MERITT. That item is in connection with the school at Fort Mojave. We are asking for a small increase for all the specifically provided for schools this year, so that we can increase in a small degree the salaries of some of the employees, who are now paid such meager salaries that it is hard to keep them in the service. You will notice that we are also asking for a small increase in some of the items throughout the bill for general repairs and improvements to these schools which are specifically provided for. We find that the appropriations heretofore made have not been sufficient to keep up the plants to the condition in which they should be kept, and as the

plants are growing older it requires a little more money each year to keep them in good condition.

The CHAIRMAN. Does the explanation you give on pages 96 to 98 of the justification show these reasons?

Mr. MERITT. Yes, sir; we state the reasons why we should like to have the increase. The justification is as follows:

*Indian school, Fort Mojave, Ariz.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$39,100. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	38,100. 00
Amount expended-----	33,895. 14
Unexpended balance-----	4,204. 86
Analysis of expenditures:	
Employees-----	12,330. 91
Repairs and improvements-----	2,023. 22
Heat, light, and power-----	5,495. 33
Subsistence-----	6,262. 99
Dry goods, clothing, etc-----	4,041. 92
Hardware, implements, etc-----	1,976. 32
Furniture and household goods-----	463. 66
School-room supplies-----	269. 51
Medical supplies-----	283. 61
Live stock-----	70. 00
Forage-----	390. 13
Traveling expenses-----	149. 75
Stationery and office supplies-----	35. 36
Miscellaneous-----	52. 43
Total-----	33,895. 14
Support, education, etc-----	36,600. 00
Repairs and improvements-----	3,300. 00
Total-----	39,900. 00
Total value of school plant-----	\$99,517. 94
Total salaries-----	\$13,900. 00
Number of employees-----	19
Capacity of school-----	200
Enrollment-----	200
Average attendance-----	186
Appropriation, 1911:	
Support, education, etc-----	\$35,100. 00
General repairs and improvements-----	3,000. 00
Total-----	38,100. 00
Expenditures, 1911:	
Administration-----	1,600. 00
Operation-----	30,271. 92
Plant-----	2,023. 22
Total-----	33,895. 14
Cost per capita, exclusive of repairs and improvements to plant and new construction-----	159. 30
Appropriation, 1912:	
Support, education, etc-----	35,100. 00
Repairs and improvements-----	4,000. 00
Total-----	39,100. 00
Superintendent's estimates for 1913:	
Absolute necessities-----	37,760. 00

For the fiscal year 1913 the superintendent of Fort Mojave Indian School estimated for \$2,300 for repairs and improvements and \$35,400 for the support of the school.

Certain of the salaries paid are low, and it is deemed necessary to increase these, for which \$1,000 additional is estimated.

Repairs and improvements are needed to an extent somewhat greater than is shown by the figures above given, for which reason \$3,300 has been considered a moderate estimate for the purpose.

Mr. BURKE. You give the cost per capita at \$159.30. That is below the average, I believe.

Mr. MERITT. Yes, sir.

Mr. BURKE. It runs usually about \$167, does it not?

Mr. MERITT. That is supposed to be the average cost per capita.

Mr. BURKE. The average attendance, I see, is 196.

In order that we may understand it, and so we will not have to take it up in each instance hereafter, under the item, "Expenditures, 1911," will you please explain what is meant by the words "administration, operation, and plant," so that we will know exactly what is meant by that division?

Mr. MERITT. The item "administration" is to cover the salary of the superintendent; the item "plant" is to cover the cost of keeping up the plant; and the item "operation" is to cover the general expenses of the school.

Mr. BURKE. Including subsistence of the children?

Mr. MERITT. Yes, sir.

Mr. FERRIS. And of the teachers, I presume?

Mr. BURKE. And employees generally?

Mr. MERITT. The item "operation" covers all the other expenses in connection with this school not covered by administration and keeping up the plant.

The CHAIRMAN. The next item is:

For support and education of seven hundred Indian pupils at the Indian school at Phoenix, Arizona, and for pay of superintendent, one hundred and twenty-one thousand four hundred dollars; for general repairs and improvements, nine thousand dollars; in all, one hundred and thirty thousand four hundred dollars.

There is an increase there of \$3,000.

Mr. MERITT. I should like to submit a justification in support of this item, as follows:

*Indian school, Phoenix, Ariz.*

Fiscal year ending June 30, 1912: Amount appropriated.....	\$127, 400. 00
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Fiscal year ended June 30, 1911:	
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Amount appropriated .....	127, 400. 00
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Amount expended .....	122, 977. 42
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Unexpended balance .....	4, 422. 58
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Analysis of expenditures:

Employees .....	45, 527. 71
Construction and repairs .....	6, 314. 57
Heat, light, and power .....	10, 743. 25
Subsistence .....	24, 008. 86
Dry goods, clothing, etc .....	18, 870. 34
Hardware, implements, etc .....	6, 577. 17
Furniture and household goods .....	3, 234. 68
School-room supplies .....	422. 69

## Analysis of expenditures—Continued.

Medical supplies	\$854. 64
Live stock	1, 145. 00
Forage	2, 176. 21
Traveling expenses	14. 95
Telephone service	180. 00
Stationery and office supplies	222. 23
Printing supplies	1, 006. 87
Miscellaneous	1, 878. 25
Total	122, 977. 42
Support, education, etc	\$121, 400. 00
Repairs and improvements	9, 000. 00
Total	130, 400. 00
Total value of school plant	\$371, 847. 50
Total salaries	\$48, 270. 00
Number of employees	68
Capacity of school	700
Enrollment	734
Average attendance	678
Appropriation, 1911:	
Support, education, etc	\$119, 400. 00
General repairs and improvements	8, 000. 00
Total	127, 400. 00
Expenditures, 1911:	
Administration	2, 550. 00
Operation	114, 112. 85
Plant	66, 314. 57
Total	122, 977. 42
Cost per capita exclusive of repairs and improvements to plant and new construction, \$158.94.	
Appropriation, 1912:	
Support, education, etc	119, 400. 00
Repairs and improvements	8, 000. 00
Total	127, 400. 00
Superintendent's estimates for 1913:	
Absolute necessities	129, 400. 00
Urgent needs	23, 000. 00
Total	152, 400. 00

The increase requested of \$1,000 for repairs and improvements for the Phoenix Indian School above the amount appropriated for the fiscal years 1911 and 1912 is for repairing the school water system, which is very necessary, in addition to the other repairs and improvements contemplated for 1913.

The additional amount of \$2,000 for support over the appropriation for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

Mr. MERRITT. The Phoenix School is one of the large nonreservation schools in the Indian service. It is located in the Southwest among the Indians, and it is doing a valuable service there. They also have a hospital connected with this school, and we are taking care of a good many of the Indians who are afflicted with tuberculosis and trachoma at this hospital. We are asking for a small increase over last year for the same reasons given in connection with the appropriation for the Fort Mojave School.



Mr. BURKE. Can you tell us what salaries it is proposed to increase and what the salary is for that it is proposed to increase?

Mr. MERITT. There are a number of employees at this school who are receiving very low salaries, but the Indian Office has not yet decided who will get the increases if the increased appropriation is allowed.

Mr. BURKE. I wish to ask one general question. Can you tell us, Mr. Meritt, what the maximum salary is that is paid at any of the Indian schools, not including the Carlisle School or any other school anywhere near as large as that? Take the average Indian school, and what is the salary of the superintendent?

Mr. MERITT. The salaries of the superintendents vary from \$900 to \$2,500 a year. The average salary at the average reservation amounts to from \$1,500 to \$1,800 a year.

Mr. FERRIS. Have you had any resignations by reason of the low salaries being paid?

Mr. MERITT. We have a great many resignations in the Indian service because of the low salaries and the environments being unsatisfactory. People who have received good educations are not particularly anxious to go out on Indian reservations far removed from civilization and devote their exclusive time to this work at such small salaries.

Mr. FERRIS. You think efficiency demands increases generally throughout the school service?

Mr. MERITT. I think justice to the employees require increases in a large number of cases.

The CHAIRMAN. The next item is as follows:

For support and education of one hundred pupils at the Indian school at Truxton Canyon, Arizona, and for pay of superintendent, nineteen thousand seven hundred dollars; for general repairs and improvements, four thousand dollars; in all twenty-three thousand seven hundred dollars.

There is an increase of \$2,500 asked for there.

Mr. MERITT. I should like to submit a justification for this item as follows:

*Indian school, Truxton Canyon, Ariz.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$21, 200. 00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	21, 200. 00
Amount expended.....	19, 820. 48
Unexpended balance.....	1, 379. 52
Analysis of expenditures:	
Employees.....	7, 871. 86
Construction and repairs.....	2, 901. 22
Heat, light, and power.....	1, 905. 88
Subsistence.....	2, 365. 02
Dry goods, clothing, etc.....	2, 696. 48
Hardware, implements, etc.....	862. 50
Furniture and household goods.....	578. 38
Schoolroom supplies.....	164. 92
Medical supplies.....	162. 39
Live stock.....	472. 70
Forage.....	250. 68
Stationery and office supplies.....	26. 08
Miscellaneous.....	61. 58
	<u>19, 820. 48</u>

Support, education, etc.....	\$19,700.00
Repairs and improvements.....	4,000.00
Total.....	23,700.00
Total value of school plant.....	\$87,420.00
Total salaries.....	\$8,080.00
Number of employees.....	11
Capacity of school.....	100
Enrollment.....	83
Average attendance.....	73
Appropriation, 1911:	
Support, education, etc.....	\$18,200.00
General repairs and improvements\$.....	\$3,000.00
Total.....	\$21,200.00
Expenditures, 1911:	
Administration.....	1,500.00
Operation.....	15,419.28
Plant.....	2,901.22
Total.....	19,820.48
Cost per capita exclusive of repairs and improvements to plant and new construction.....	203.84
Appropriation, 1912:	
Support, education, etc.....	18,200.00
Repairs and improvements.....	3,000.00
Total.....	21,200.00
Superintendent's estimates for 1913:	
Absolute necessities.....	19,300.00
Urgent needs.....	6,700.00
Total.....	26,000.00

In justification for the high per capita required to maintain the Truxton Canyon Indian school the following explanation is offered:

This school obtains its enrollment from the Walapai Reservation on which there are 139 children of school age. Of this scholastic population 83 are enrolled in this school. The superintendent states that of this population 65 are ineligible, because of ill health, mental weakness, or physical deformity, leaving 74 eligible pupils. The superintendent has, however, enrolled of this total population 83 pupils; he apparently permitting some of the ineligible to enroll. His average attendance is 74. The capacity of this school is 100. It requires practically the same employee force to conduct the school for 74 to 83 pupils as it would were the school filled to its full capacity, and likewise it requires practically the same amount to be expended for maintenance and up-keep of the physical plant. For that reason the per capita cost at this particular school has been high. The superintendent expects, during the next year, to have improved the condition of these ineligible pupils to an extent which will permit of their attending school regularly, which will reduce the per capita cost of its maintenance.

Mr. BURKE. I should like to ask you, Mr. Meritt, in relation to the per capita cost of this school being \$203.84, whereas the other two schools were \$158 in one instance and \$159 in the other.

Mr. MERITT. This is a small school and of course it costs more per capita to keep up a small plant than it does a large plant, and in the justification you will note that they have had a good deal of sickness at this school, and a number of the children have been out of the school on account of ill health, they especially suffering from trachoma, I believe. They are getting these children in better condition, and they will soon be able to return to the school, and that will reduce the cost per capita.

The average cost per capita for the education of Indian children at nonreservation boarding schools and reservation boarding schools, exclusive of new construction and repairs and improvements, is as follows:

Nonreservation schools.....	\$177. 71
Reservation boarding schools.....	166. 44

This includes telegraphing and transportation of Indian supplies and transportation of Indian school pupils to and from their homes, which items were not included in figuring the per capita cost in previous years. A large portion of the difference between nonreservation and reservation schools may be ascribed to the cost of transporting pupils to and from school, which is an expense not required in the operation of the reservation schools. Furthermore, the nonreservation schools have a higher grade of employees as a general proposition, they giving a higher grade of education, and this will account to some extent for the difference in cost between the nonreservation schools and the reservation schools. Again, more of the pupils of nonreservation schools are retained at school during the summer vacation, and the cost of subsistence of these pupils amounts to a considerable sum in the aggregate.

The CHAIRMAN. The next item is: For constructing a dike to protect allotments on the Fort Mojave Indian Reservation, \$33,000.

Mr. VALENTINE. I desire to submit the following justification:

*Fort Mojave, Ariz.*

Number of Indians.....	882
Irrigable area under project..... acres..	1, 300
Estimated cost per acre.....	\$25. 38
Estimated cost of project.....	\$33, 000. 00

No expenditures to July 1, 1911.

Estimated value of land when irrigated, \$75 to \$150.

Ten thousand six hundred and eleven dollars and ninety-three cents had been expended on this reservation for irrigation to June 30, 1911.

In order that the Indians may avail themselves of the free water to be delivered for 1,000 acres of land by the Cotton Water & Irrigation Co., it will be necessary to construct a dike to protect the lands against overflow from the Colorado River and a small pumping plant to irrigate 300 acres of land which is too high to be irrigated by gravity. The Indian Office inserted an item in the estimate for 1913 for \$33,000 for this work.

This should be a nonreimbursable appropriation. These Indians have had little if any assistance from the Government. The construction of this dike will enable them to receive free water from the Cotton Land & Water Co. sufficient for the irrigation of 1,000 acres of land; but a portion of the allotments being located above the flow line of the company's canal it will be necessary to elevate water from the canal for some 300 acres, requiring the installation of a small pumping plant at an estimated cost of \$8,000.

The CHAIRMAN. What did you have last year on this?

Mr. VALENTINE. It is a new item entirely.

The CHAIRMAN. What is the immediate necessity for constructing this dike? Have there been any excessive rainfalls in that country that has caused erosion, etc.?

Mr. VALENTINE. No, sir; these lands, as I understand it, are subject to overflow from the Colorado River. Is that the cause, Mr. Holt?

Mr. HOLT. Yes, sir.

Mr. VALENTINE. And now that the Indians are about to be put on an industrial basis on their allotments it is necessary to protect them

by this dike, because they can use the water, and they should be further safeguarded.

The CHAIRMAN. Is this the lowest band of Indians on the Colorado River?

Mr. VALENTINE. They are the most southern on the Colorado River and the Yuma.

The CHAIRMAN. How far below the Yuma is this band of Indians?

Mr. VALENTINE. They are apparently at least 70 miles or more north of the Colorado River, which is, in turn, a considerable distance north of the Yuma.

The CHAIRMAN. Is it in Arizona or New Mexico?

Mr. VALENTINE. Arizona.

The CHAIRMAN. Have you had a complete estimate made of the amount of work that it will take for the side levee to prevent the overflowing of these lands?

Mr. VALENTINE. Mr. Hill, of our service, prepared it and Mr. Code submitted it.

The CHAIRMAN. Is this only a starter of this proposition or does it contemplate a complete levee to protect these lands permanently?

Mr. HOLT. It will be complete, so far as that 1,300 acres is concerned.

The CHAIRMAN. What is the full estimate?

Mr. HOLT. \$33,000—\$25,000 for the dike and \$8,000 for a little pumping plant to irrigate 300 additional acres.

The CHAIRMAN. Have there been any wells bored there so as to secure water sufficient to enable you to state whether or not the water would be suitable for the irrigation of crops?

Mr. HOLT. They are to irrigate with Colorado River water, furnished by the Cotton Land & Water Co. In consideration of a right of way across the northern part of the reservation, it is to furnish water for 1,000 acres of land. In order to irrigate that land, we have to build a dike to protect the land against overflow of the Colorado River.

The CHAIRMAN. When was that grant made to this company?

Mr. HOLT. Several years ago, and they are doing work on that now. The canal across that particular part of the reservation was made sometime ago; I think, before 1900.

The CHAIRMAN. Will this 1,000 acres be sufficient for these Indians?

Mr. HOLT. No, sir; they have been allotted south of there, on the public domain, and on December 1, 1910, the President directed the reservation of every even section of land, and they were to be allotted 15 acres, I believe.

The CHAIRMAN. How do you propose to get this water?

Mr. HOLT. These Indians will have to buy water from the Cotton Land & Water Co.

The CHAIRMAN. Where will the lands be—these lands on the public domain you are supposed to supply them with?

Mr. HOLT. The reservation was created by Executive Order 1267 on the 1st of December, 1910, of every even section. The railroad owns the other section.

The CHAIRMAN. Then, if you are to get water from this company, why is it necessary to build this dike?

Mr. HOLT. That water is only for 1,000 acres, but there is a large area down there that the Indians will have to purchase water for from the company. The company was only to furnish water for 1,000 acres on the Fort Mohave Reservation. That was before this extension was made. The Indians allotted on the public domain which has been placed in the reservation will have to purchase their water, but this \$33,000 does not affect those that were allotted on the public domain; it is simply in order to get the free water that the company has agreed to furnish.

The CHAIRMAN. How many would be affected by it?

Mr. HOLT. Eighty-six allottees.

The CHAIRMAN. How many men are there?

Mr. HOLT. There are 882 of these Indians altogether. The others are allotted on the public domain, or what was the public domain.

The CHAIRMAN. Is not this a large amount of money to supply water for a few Indians?

Mr. HOLT. It would be an acreage cost of \$25.

The CHAIRMAN. Is that for 1,000 acres?

Mr. HOLT. It is for 1,300; it includes this 1,000 and the 300 acres to be served by the pumping plant.

The CHAIRMAN. I understood you to say that the water company gave free water for 1,000 acres.

Mr. HOLT. Yes, sir.

The CHAIRMAN. And this is in addition to that?

Mr. HOLT. It is to be applied to the building of a dike so they can make use of this water for that 1,000 acres, and the pumping plant is for 300 acres, which is estimated at \$8,000.

Mr. FERRIS. Have these Indians any trust fund?

Mr. VALENTINE. No, sir.

Mr. FERRIS. Do they have a uniform allotment?

Mr. HOLT. Yes, sir.

Mr. FERRIS. What is it?

Mr. HOLT. Fifteen acres.

Mr. FERRIS. There are 882 of them, and 86 of them would be benefited by this appropriation?

Mr. HOLT. Yes, sir.

Mr. FERRIS. And for 1,000 acres they secure water from the Cotton Land & Water Co. by reason of their granting to the company a right of way across the land?

Mr. HOLT. Yes, sir.

Mr. FERRIS. And this appropriation is to erect a dike so they can avail themselves of that water, and also to erect a small pumping plant for the purpose of irrigating 300 acres of high land that can not be reached by this other proposition?

Mr. HOLT. Yes, sir; that is correct.

Mr. FERRIS. And this is a new item, never carried before in any bill?

Mr. HOLT. Yes, sir.

Mr. FERRIS. How have these Indians lived down there heretofore?

Mr. HOLT. I can not answer that.

Mr. FERRIS. Can you tell us, Mr. Commissioner?

Mr. VALENTINE. I can not give you any definite information on that.

Mr. FERRIS. Have any of you here been down there on the reservation personally, to find out how they lived?

Mr. HOLT. I have not.

Mr. HILL. They are probably living like the Yuma Indians do at Fort Yuma, where the overflow of the river provides sufficient moisture to raise crops.

Mr. FERRIS. If this appropriation of \$33,000 is made, and it only benefits 86 of the allottees—that is, just a little less than one-tenth of them—how long will it be before the other nine-tenths of them will be here asking for an additional appropriation to protect their land?

Mr. HOLT. I think provision is made by contemplating that wherever they were to be allotted 20 acres they could dispose of 5 acres in excess of their regular allotment in order to buy water from this company for the lands retained by them.

Mr. FERRIS. But they could not sell 5 acres of dry land and get money enough to irrigate 15 acres?

Mr. HOLT. The 5 acres will be in these tracts—

Mr. FERRIS (interposing). That has been allotted to them?

Mr. HOLT. Yes, sir.

Mr. FERRIS. Then the 20 acres of land allotted to the other nine-tenths of those Indians is irrigable land?

Mr. HOLT. Yes, sir.

Mr. FERRIS. And is now subject to attachment to some irrigation plant so it can be watered?

Mr. HOLT. Yes, sir.

Mr. FERRIS. Have you made a careful estimate to ascertain whether they can dispose of 5 acres of their land and retain 15 acres and get water sufficient for the rest of it—that is, for the land retained?

Mr. HOLT. I think that was figured on by Mr. Code. Mr. Code submitted an estimate showing what it would cost these Indians to get water from this company, which is \$25 per acre, and a certain amount for maintenance for the ditches and levees, and, in talking with him, it seemed that they could dispose of this land at a good price—sufficient to pay for the water for the land retained.

Mr. FERRIS. So that you feel pretty sure they will not ask for any more appropriation if this one is made?

Mr. HOLT. Yes, sir.

Mr. FERRIS. What per cent of the Indians actually make agricultural use of these lands?

Mr. HOLT. I do not know, but I think a very small per cent.

Mr. FERRIS. These lands will, for the most part, be used by white settlers, will they not?

Mr. HOLT. The surplus lands will be. I think the Indians will work their own allotments. They have cleared a good deal of their lands in anticipation of water from this company.

Mr. FERRIS. But you do not know what per cent of them do actually plant and reap on their own account?

Mr. HOLT. I think a very small per cent now, for the reason that they can not get the water. There were only 30 acres irrigated in 1911.

Mr. FERRIS. Within the whole reservation?

Mr. HOLT. Yes, sir.

Mr. FERRIS. Can they raise anything at all on the dry-farming plan?

Mr. HOLT. No, sir; except along the river where it overflows; they can raise something there, but away from the river they can not raise anything.

Mr. FERRIS. What is the average rainfall down there?

Mr. HOLT. I do not know exactly; but I should think between 4 and 7 inches.

Mr. FERRIS. This appropriation, of course, is not reimbursable, and the Government will have no chance to get it back, and it is an act of graciousness to these Indians?

Mr. HOLT. That is true.

The CHAIRMAN. In order to correct the record at the point where you started to give that testimony, will you state your name?

Mr. HOLT. L. M. Holt, irrigation engineer.

The CHAIRMAN. In connection with the Indian service?

Mr. HOLT. Yes, sir; the Indian irrigation service.

The CHAIRMAN. Have you the position formerly held by Mr. Code?

Mr. HOLT. No, sir.

The CHAIRMAN. Do you operate only in New Mexico and Arizona?

Mr. HOLT. I am detailed from the field and have charge of the irrigation section in the Indian Office.

The CHAIRMAN. How long have you been holding that position?

Mr. HOLT. For nearly two years, but I have been in the irrigation work for 10 years.

The CHAIRMAN. How long since you have been in this vicinity where these Indians live?

Mr. HOLT. I have never been in that section.

The CHAIRMAN. You have never been on the ground?

Mr. HOLT. No, sir.

Mr. BURKE. How much land, other than the 1,300 acres, will be benefited by the construction of this dike?

Mr. HOLT. No other land.

Mr. BURKE. You say the Indians on that reservation will get their water from this company that you have named?

Mr. HOLT. Yes, sir.

Mr. BURKE. And at what cost?

Mr. HOLT. At a cost of \$25 an acre.

Mr. BURKE. Is that permanently settled?

Mr. HOLT. Not finally.

Mr. BURKE. This company, as I understand it, has agreed to furnish this water for 1,000 acres in consideration of certain rights they got on the reservation?

Mr. HOLT. Yes, sir.

Mr. BURKE. And is that 1,000 acres to be definitely located, or is it any 1,000 acres?

Mr. HOLT. The right of way was granted before the land was allotted; but this 1,000 acres has since been allotted.

Mr. BURKE. Is there not land enough that can be allotted to the Indians, as you propose to allot it to the 800 Indians, so as to avoid this expenditure of \$33,000?

Mr. HOLT. They would have to leave the reservation; that is only to take advantage of that free water.

Mr. BURKE. And this is all the irrigable land on the reservation?

Mr. HOLT. Yes, sir; that is all the irrigable land.

Mr. BURKE. And the balance of these Indians are on the public domain.

Mr. HOLT. On Executive-order reservation.

Mr. BURKE. Have you any information by which you can determine whether this tract of 1,300 acres of land is of any greater value than lands that have been or will be allotted to the balance of the Indians on that reservation?

Mr. HOLT. No, sir; I have no information.

Mr. BURKE. With reference to this proposition, it appears by the statement furnished by the commissioner that \$10,611.93 has been expended on this reservation for irrigation to June 30, 1911. Can you state what that was for?

Mr. HOLT. That money was expended in times past in the way of instructing the Indians to labor, and whatever was done did not last very long, except about 5 miles of canal.

Mr. BURKE. Then, there is nothing at present to show for this \$10,000?

Mr. HOLT. Very little.

The CHAIRMAN. The next item is, "For continuing the construction of necessary canals and laterals for the utilization of water in connection with the pumping plant for irrigation purposes on the Colorado River Indian Reservation, Ariz., as provided in the act of April 4, 1910, for the purpose of securing an appropriation of water for the irrigation of approximately 150,000 acres of land and for maintaining and operating the pumping plant, \$35,000, reimbursable as provided in said act."

Mr. VALENTINE. I submit the following justification in support of the item just read. Mr. Holt will be glad to answer any questions relating to the project.

*Colorado River, Ariz.*

Number of Indians.....	530
(Nothing had been expended on this project to July 1, 1911.)	
Area that may be irrigated (approximate).....acres..	150,000
Area under project as outlined.....do.....	5,000
Value of land when irrigated, per acre.....	\$100 to \$200

*Irrigation system, Colorado Reservation, Ariz.*

For constructing main canals and laterals in connection with pumping plant on the Colorado River and for maintenance and operation of plant, \$35,000.

This appropriation can be reimbursable from the proceeds of the sales of surplus lands. The Indians are needy, and should be assisted for the first few years in their efforts to reclaim their lands.

There had been expended to June 30, 1911, on this reservation since 1867, \$120,471.02 for irrigation work. It is estimated that \$35,000 will be necessary to complete the plant initiated under the \$50,000 appropriation made in the act of April 4, 1910.

This project can be enlarged and extended to cover 10,000 acres of land.

The CHAIRMAN. Where is this plant situated with reference to the one described in the last item?

Mr. HOLT. About 50 miles south of the Mojave Reservation.

The CHAIRMAN. How long have these Indians been at that point?

Mr. HOLT. I do not know what date the Indians were established there.

The CHAIRMAN. How far is that from the A. P. Railroad? Is it above Needles?



Mr. HOLT. Yes, sir; 40 miles south of Needles.

The CHAIRMAN. Is it in Arizona or Nevada?

Mr. HOLT. This map shows that a part is in a corner of Nevada, but the larger part of it is in Arizona.

The CHAIRMAN. How much irrigable land is there at that point?

Mr. HOLT. I can not say.

The CHAIRMAN. In the Colorado River Reservation?

Mr. HOLT. There has been no definite survey, but it has been estimated at 150,000 acres.

The CHAIRMAN. How much of it is irrigable land?

Mr. HOLT. Practically all of it.

The CHAIRMAN. What amount have you at present irrigated on this land?

Mr. HOLT. We are constructing a pumping plant now, and they have had a little one for years, but it was inefficient, and only a few acres were irrigated. There were not more than 200 acres irrigated.

The CHAIRMAN. How have these Indians been irrigating their lands heretofore, before the Government did anything for them?

Mr. HOLT. The Government began the irrigation construction down there in 1867, but very little of that work is left. They had no money to carry it to completion, and some tunnels caved in, and so they have been pumping into the ditch since that time.

The CHAIRMAN. Would it be possible, by putting in a substantial dam that would stand, to create a permanent irrigation plant at this point?

Mr. HOLT. At the last session Congress authorized the construction of a dam just above Parker by the Greely Arizona Irrigation Co.

The CHAIRMAN. Is that a private company?

Mr. HOLT. Yes, sir. That company was authorized to construct a dam. I understand they have been in there for some time making surveys, but the scheme has not yet been fully developed.

The CHAIRMAN. Where is their dam to be constructed?

Mr. HOLT. Four or five miles north of Parker, and the pumping plant is located close to Parker.

The CHAIRMAN. How far is that from the mouth of the Grand Canyon? How far would their plant be from the mouth of the Grand Canyon?

Mr. HOLT. It is quite a distance from the Grand Canyon.

The CHAIRMAN. Would this be an available place for putting a permanent irrigation plant?

Mr. HOLT. I think they claim that that point is the only one where there is a rock outcrop along the river.

The CHAIRMAN. There is supposed to be a rock bottom, then,?

Mr. HOLT. I do not know whether there is a rock bottom or simply good indications. Mr. Hill or Mr. Newell could tell you more in regard to that than I can.

The CHAIRMAN. But that is in the hands of a private company?

Mr. HOLT. Yes. But I think the Reclamation Service has made a general investigation.

Mr. FERRIS. This proposed appropriation of \$35,000 is made reimbursable, I believe?

Mr. HOLT. Yes, sir.

Mr. FERRIS. How much trust funds have these Indians?

Mr. HOLT. I do not know that they have any, but they can reimburse from the sale of surplus lands.

Mr. VALENTINE. They have no trust funds at all.

Mr. FERRIS. What do their assets consist of in the form of surplus lands?

Mr. HOLT. These 150,000 acres of irrigable land.

Mr. FERRIS. Is that in addition to their allotments?

Mr. HOLT. The allotments have not been approved yet, but there are only 500 Indians, I think, and the law provides for 10-acre allotments, so they will only need between 5,000 and 6,000 acres out of that 150,000 acres for their own use.

Mr. FERRIS. And that will leave them about 140,000 acres of land, approximately?

Mr. HOLT. Yes, sir.

Mr. FERRIS. What is this land supposed to be worth in its present state?

Mr. HOLT. Without irrigation it is worth hardly more than \$1.25 per acre; but the fact that it is so located that it can be irrigated would make it have more value.

Mr. FERRIS. Owing to the fact that it could be irrigated?

Mr. HOLT. Yes, sir.

Mr. FERRIS. What would you say its value would be?

Mr. HOLT. If some plan were proposed, and there was a possibility of its being carried through, I should think \$10 per acre would be its value.

Mr. FERRIS. Do you think it would sell on the market at \$10 per acre?

Mr. HOLT. I think it would; but I have no information on that point.

Mr. FERRIS. If that is true, that would make them have assets to the amount of \$1,400,000?

Mr. HOLT. Yes, sir.

Mr. FERRIS. But, of course, you do not know whether that is true or not?

Mr. HOLT. No, sir.

Mr. FERRIS. Practically all of their land does have irrigation possibilities?

Mr. HOLT. Yes, sir; all of that 150,000 acres. There is considerably more in that reservation. I think there are 240,640 acres in the reservation.

Mr. FERRIS. The land that is not irrigable would have some value?

Mr. HOLT. Of that, 240,000 acres would probably have a value of \$1.25 per acre.

Mr. FERRIS. How much have these Indians been involved by expenditures on this diversion? There have been expended on this project \$122,471. Now, has there been other expenditure made?

Mr. HOLT. I think that expenditure of \$122,000 is all that has been made, except what we are now expending from the appropriation of \$50,000 we had for the construction of the pumping plant.

Mr. FERRIS. That is in addition?

Mr. HOLT. Yes, sir.

Mr. FERRIS. That makes, approximately, \$122,000 that has been expended on this project for which their assets are bound?

Mr. HOLT. But the \$122,000 is not reimbursable.

Mr. FERRIS. That is not reimbursable?

Mr. HOLT. No, sir.

Mr. FERRIS. Is that \$50,000 reimbursable?

Mr. HOLT. Yes, sir.

Mr. FERRIS. And this \$35,000 is reimbursable?

Mr. HOLT. Yes, sir.

Mr. FERRIS. Making \$85,000 that is reimbursable?

Mr. HOLT. Yes, sir.

Mr. FERRIS. Have there been any other expenditures made with a reimbursable provision?

Mr. HOLT. Not that I know of.

Mr. FERRIS. Do you know about that, Mr. Commissioner?

Mr. VALENTINE. No, sir.

Mr. FERRIS. Then, if this land was worth \$10 per acre, they would have assets amounting to \$1,400,000, and there has been charges created against that of about \$70,000 only?

Mr. HOLT. \$50,000 to date, and \$85,000 if this appropriation goes through.

Mr. FERRIS. The rainfall is too slight there to carry on agriculture at all?

Mr. HOLT. Yes, sir.

Mr. FERRIS. Do they use the dry-farming process there?

Mr. HOLT. I do not know that they do.

Mr. FERRIS. Which wing of the service has been in charge of that—the Indian wing or the Reclamation Service?

Mr. HOLT. The Indian wing of the service.

Mr. FERRIS. Has the Reclamation Service assisted them?

Mr. HOLT. No, sir. I think at one time they contemplated the construction of this project.

Mr. VALENTINE. I would like to add for the record that this is probably the most wonderful tract of land left in the Indian reservations from the point of view of the possibility of the development of water, as well as the agricultural possibilities of the land.

Mr. BURKE. What use was made of the \$122,000 that was expended?

Mr. HOLT. It is so long ago that our records really do not accurately show. There is very little evidence of irrigation work.

Mr. BURKE. Is there anything of value existing at the present time as the result of that expenditure?

Mr. HOLT. Only the irrigation of the 200 acres.

Mr. BURKE. Then there is under irrigation only 200 acres as the result of an expenditure of \$122,000?

Mr. HOLT. Yes, sir.

Mr. BURKE. What information have you to show that the \$35,000 estimated for will complete this project?

Mr. HOLT. That was an estimate furnished by the chief engineer, Mr. Code.

Mr. BURKE. Do you know anything about the estimate submitted when the provision was incorporated in the act of April 4, 1910, when \$50,000 was appropriated for this project?

Mr. HOLT. \$200,000, I think, at that time was estimated for a much larger power plant than we are now constructing.

Mr. BURKE. Then it is your opinion that at the time this \$50,000 was appropriated it was not to complete the project as contemplated?

Mr. HOLT. No, sir; it was to initiate the use of water from the Colorado River, to which the Indians would have some right.

Mr. BURKE. Was it not for the construction of a pumping plant and the construction of the necessary canal and laterals for the utilization of the water?

Mr. HOLT. I think it was more for the pumping plant; and this \$35,000 is for the canal and laterals.

Mr. BURKE. How much has been expended?

Mr. HOLT. They are now constructing the plant. The pumping plant has been constructed at an expenditure of something like \$12,000 or \$14,000 for machinery, and the laterals are now being located.

Mr. BURKE. But you do not know how much has been expended?

Mr. HOLT. No, sir.

Mr. BURKE. When is it expected that this project will be completed if this \$35,000 is appropriated?

Mr. HOLT. I think \$35,000 would carry the work to completion during the fiscal year 1913—that is, the latter part of the fiscal year.

Mr. BURKE. Are you willing to assure this committee, if this \$35,000 should be appropriated, that no further appropriation will be required?•

Mr. HOLT. The plant is so built that it can be enlarged to cover another large area if found necessary for the use of Indians or by others which might be moved in there.

Mr. BURKE. Will this provide for the Indians who are there now?

Mr. HOLT. Yes, sir.

Mr. BURKE. How much is it estimated that it will cost to complete the project as it might be constructed, as you say, for other lands that might be included?

Mr. HOLT. Mr. Code said it was such a large sum that the Indian irrigation service could not handle it.

Mr. BURKE. Did not Mr. Code, at the time this appropriation of \$50,000 was made, state that that would be sufficient to irrigate all the land that would be necessary for the Indians that were there?

Mr. HOLT. I do not know.

Mr. FERRIS. The questions asked by Mr. Burke suggested a question that I want to ask you. When was this \$122,000 that was not made reimbursable appropriated?

Mr. HOLT. A part of it was appropriated in 1867—I believe \$50,000 was appropriated about that time; and some was paid from various support funds and funds for moving Indians into Arizona. I do not know that there was more than \$50,000 as a straight appropriation for irrigation.

Mr. FERRIS. Then, this justification or explanation shows that there has been \$122,000 expended on irrigation work there; is that correct or not?

Mr. HOLT. That is correct; that was on irrigation work, but not on this particular project.

Mr. FERRIS. I mean on the whole reservation; and, as a result of that expenditure, only 200 acres of land are irrigated on the reservation at this time?

Mr. HOLT. Yes, sir.

Mr. FERRIS. That would indicate that it would cost about \$600 per acre to irrigate the land, would it not?

Mr. HOLT. Yes, sir. At one time there was a considerable area irrigated, but on account of a tunnel caving in and the canal filling up they have not used the work that was paid for under that appropriation.

Mr. FERRIS. Is this a fair example of what the irrigation appropriations are going to amount to in the future?

Mr. HOLT. I do not think so. The first irrigation work down on the reservation was done at a time when we knew but little about irrigation.

Mr. FERRIS. It is true, is it not, that where an irrigation plant is installed, unless it is cared for and kept up it does go to rack and ruin, and the money invested is wasted?

Mr. HOLT. Yes, sir.

Mr. FERRIS. Referring to the work that was done with this \$122,000 that was expended, was anything found to be the matter with the water, and is that the reason why you had to abandon any part of it?

Mr. HOLT. No, sir.

Mr. FERRIS. You think that that \$122,000 was expended at a time when irrigation was in its infancy and before we had sufficient information to carry it on intelligently?

Mr. HOLT. Yes, sir.

Mr. FERRIS. What is the highest price per acre that irrigation is costing under modern methods of installing plants?

Mr. HOLT. I believe the Reclamation Service has a project that costs \$93 per acre.

Mr. FERRIS. Is that the regular reclamation wing of the service?

Mr. HOLT. Yes, sir.

Mr. FERRIS. But you do not know of any that runs as high as \$600 per acre?

Mr. HOLT. No, sir. We have one in the Indian service that runs a little higher, but when the whole plan is developed it will be reduced to some extent. I think now it is something like \$120 per acre.

Mr. FERRIS. What is land worth that would cost \$90 per acre to irrigate? What is it worth after it is irrigated?

Mr. HOLT. Probably \$300 per acre, or it might be considerably more. One of the reclamation engineers has said that land under water was worth \$300 per acre and \$2,000 per acre when in cultivation; that was in one of their projects.

The CHAIRMAN. Would it be practicable to have the Yuma Indians, mentioned in this first item, and who have little land on their reservation, moved up to that corner in Nevada, opposite that point, in this larger reservation, where there is so much land?

Mr. VALENTINE. The Indian Office is very much opposed to the policy of removal unless it is absolutely voluntary and at the request of the Indians themselves.

The CHAIRMAN. What was the relation between these Yuma Indians and the Mohave Apaches?

Mr. VALENTINE. I do not know what the relations between those tribes are, but there is some distance to overcome there.

The CHAIRMAN. If there is such an amount of available land that is desirable for agriculture and fruit-growing purposes there, would

it not be well to have allotted to these Indians 5 or 10 acres apiece and put other Indians in there?

Mr. VALENTINE. It might be well to put the other Indians there, provided the Colorado Indians consented and the others desired to go.

The CHAIRMAN. The water supply is practically unlimited there?

Mr. VALENTINE. Yes, sir.

The CHAIRMAN. And no one has exclusive water rights?

Mr. HOLT. I think the latest information we had about that was the carrying on of negotiations with the Mexican Government with regard to the waters of the Colorado River.

Mr. VALENTINE. That is a point on which Mr. Newell would be much better informed. May I add for the record, however, that I do not recall the exact figures, but, roughly, we spent something in the neighborhood of \$5,000,000 on Indian irrigation work, and put about 365,000 acres under ditch, and the average construction cost has been in the neighborhood of from \$16 to \$18 per acre. That is the average for the entire Indian service.

The CHAIRMAN. Those projects you mention are completed and the water is now on the land?

Mr. VALENTINE. I am speaking of 365,000 acres where the projects are completed.

The CHAIRMAN. And those reservations are located all over the West?

Mr. VALENTINE. Yes, sir. There is probably as much more, or undoubtedly more than that, that could well be taken up to advantage.

Mr. BURKE. Mr. Commissioner, I would like to ask you whether or not, in your opinion, it would be practicable and desirable from the economical standpoint to have the work of irrigation in the Indian service done by the Reclamation Bureau instead of, as it is now being done, under the Indian Office?

Mr. VALENTINE. I think we are in a position now where the present arrangement will in time furnish the best answer to that question. The Reclamation Service is now doing work on four large projects for us. The Indian service has under its own operation about 60 small projects, and the only question I would have in my mind as to the Reclamation Service doing all the work for us is that there is a great deal in Indian psychology and the handling of Indians which the Indian Bureau ought to be better qualified for. I am not saying whether it is better qualified or not, but it ought to be, if it is made to fulfill its functions and duties by Congress—better qualified than any other bureau. The same question comes up in connection with the Forest Service, as to whether an entire bureau whose work is to guard trees can as well handle the mixed tree and Indian proposition as the Indian Office should from the point of view of the Indian. My own personal feeling is that the economic waste which undoubtedly exists because of the existence and perpetuation of a small Reclamation Service in a separate bureau is offset, provided the bureau is run as it should be by the particular Indian relation to the proposition.

Mr. BURKE. In these projects that cost from \$50,000 to \$500,000, to what extent has Indian labor been used?

Mr. VALENTINE. To a very large extent, and, as far as our work has been done by the Reclamation Service, we provide that they shall use Indian labor.

Mr. BURKE. Do you do all your work in your Reclamation Service directly, or do you contract any part of it?

Mr. VALENTINE. It is mostly done directly.

Mr. BURKE. But you do some of it by contract?

Mr. VALENTINE. I think some of it is done that way.

Mr. BURKE. And in that case the contractor is required to use Indian labor?

Mr. VALENTINE. Yes, sir. We have had some difficulty with this proposition on the Yuma Reservation, where it has been very difficult to get the Indians to do the work.

Mr. BURKE. Have you any information as to the cost of reclamation in the Indian service as compared with the cost in the regular Reclamation Service, where the conditions are similar?

Mr. VALENTINE. No, sir; I simply stated the figures for the Indian service, but I have never compared that with work done under similar conditions for similar purposes by the Reclamation Bureau.

The CHAIRMAN. Is it not a fact that nearly all of this reservation is surrounded by public lands on which white settlers have the same interest that the Indians have on their land?

Mr. VALENTINE. Yes, sir.

The CHAIRMAN. And is it not better to have one plant to cover the lands both of the whites and the Indians?

Mr. VALENTINE. That was one of the facts we had in mind when the agreement was drawn up. The Indian service would furnish similar reclamation plants, because otherwise in connecting with the plants of the Reclamation Service it would be like hitching up a 6-inch water pipe system with a 2-inch system. So, of course, this work should be and is done by cooperation where the systems are to be connected.

The CHAIRMAN. Both systems are under the Secretary of the Interior and in the same department?

Mr. VALENTINE. Yes, sir. I have always felt from the point of view of cost of the service to the country as a whole that it was a great mistake to have in the Indian Bureau a branch of work for which there was also maintained and supported by Congress another large bureau. We have, for instance, a little forestry service carrying on the work for 10,000,000 acres of timber land, and we have this Reclamation Service that we have been discussing this morning. We have a health service, although the Government has still not at the present time a bureau of health, and so on. I think, viewing it from the business standpoint, that that is an economic waste. The simple question that is to be carefully considered by a committee of Congress is as to the duties involved in the maintenance of the Indian Bureau from the point of view of getting the Indians ahead.

The CHAIRMAN. And for the purpose of preventing a duplication of work or any conflict that might arise if two departments had the same jurisdiction?

Mr. VALENTINE. Yes, sir.

The CHAIRMAN. Do you know of any effort being made in the department to prevent this waste?

Mr. VALENTINE. Yes, sir; I think every possible effort is being made in the department.

The CHAIRMAN. When will a plan be ready to present to Congress?

Mr. VALENTINE. I do not know of any being worked out on that line. I simply mean that there is an endeavor, a great deal of it informal as well as formal, to have cooperation between the reclamation branch of our service and the Reclamation Bureau.

The CHAIRMAN. As to these items under discussion, I understand that it is necessary to make these appropriations to carry out the wishes of Congress heretofore expressed and authorized under the law?

Mr. VALENTINE. Yes, sir.

The CHAIRMAN. I wish to ask Mr. Newell a question at this point, which has been suggested by you. In reference to the waters of the Colorado River you have heard the testimony of the commissioner and Mr. Holt to the effect that there is a large area of irrigable land on that Indian reservation, up near the corner of Nevada; and that there is sufficient water in the Colorado River to supply these lands with the water necessary to irrigate the land; and that the land would be sufficient to maintain quite a number of Indians in addition to those now on the land. Now, would that conflict with the use of the water by white settlers below on the public lands or in Mexico?

Mr. NEWELL. It would not conflict if we proceeded now to utilize the water and gained the right, but if the matter is delayed indefinitely there is an international question which might arise concerning the prior use of the waters of the Colorado River, just as that question has arisen in Arizona. I understand that the international commission, of which Mr. L. C. Hill, who is here, was a member for a number of years, did not succeed in agreeing upon the terms of a treaty with Mexico.

The irrigation of the lands of the Colorado Indian Reservation and the utilization of the waters of Colorado River is one of the largest economic problems with which the Indian Office has to do. We have examined the irrigable land with a view to reclaiming it on a large scale, but this involves a large expenditure. As Mr. Holt has stated, about 1867 a small appropriation was secured, and a tunnel was driven from the river, and an irrigation system laid out. Not enough money was expended at that time to perfect the system, and subsequently the tunnel was injured. Then, in order to supply water, a pumping plant was erected, simply as a temporary expedient, and upward of 200 acres are now under irrigation.

The expenditure now under discussion is for a pumping plant, which is still a temporary expedient. It is not to complete any irrigation project. When the pump is installed it immediately begins to depreciate, and it is only a question of time when it must be renewed. Such construction is not justified excepting on the ground that these Indians must have water for domestic supplies and for irrigation purposes. We are justified in making a relatively large expenditure per acre simply to keep the agriculture from going backwards. The only proper and economic way to handle the project is to start out on a large and comprehensive scale, build a dam across Colorado River, and then dispose of a sufficient quantity of irrigable land to repay the Government for the investment in the dam and works. That is the economical, feasible, and desirable thing to do.

The CHAIRMAN. Would not that have this effect upon Mexico, also, that we would have exercised the prior use of the water?



Mr. NEWELL. That is possible; we should preserve our rights to waters of Colorado River. We must also recognize the legal right, or rather, the moral right, that Mexico has to a portion of the water. We will be governed by the amount of the water put to beneficial uses.

The CHAIRMAN. In other words, it would involve the same question that arose in reference to the international dam at El Paso?

Mr. NEWELL. We did not recognize that Mexico had a right to that water, but, as a matter of comity, we gave them the right to a certain restricted amount of water.

The CHAIRMAN. Then, you think this small appropriation for the purpose of lifting more water by means of pumps out of the river would simply be deferring the time when we should put in a large plant there?

Mr. NEWELL. It is simply temporizing with the situation; putting off from year to year the initiation of a comprehensive scheme. Congress has granted to one company, at least, the right to build a dam across Colorado River, and a conditional right to another company, but neither of them, I believe, under present conditions, can finance their investment.

The CHAIRMAN. Has the time expired in which these companies could have done the work, so whatever rights they had have lapsed?

Mr. NEWELL. Yes; in part, if I am correctly informed. The Reclamation Service has studied the river for 300 miles of its length, from the Grand Canyon to the Mexican border. At the lowest point, where rock outcrops on each bank, is located the irrigation head-works, at Laguna Dam, 20 miles above Yuma, Ariz. The Colorado River Indian Reservation is at an intermediate point, near the town of Parker, Ariz., about 100 miles above Yuma. The third point for irrigation which has been considered is known as the Needles Project, a few miles north of Mohave City, Ariz., and about 200 miles above Yuma. At each of these points we have contemplated for the future development of that country the building of large works, if conditions are favorable for it.

The CHAIRMAN. If you had a good dam near Parker, Ariz., could water be used on both sides of the river; that is, in both California and Arizona?

Mr. NEWELL. Yes; but the largest portion is in Arizona. The lands on the California side are higher, and the greater part of them must be reached by pumping. The proposition has been made to develop hydroelectric power at that point.

The CHAIRMAN. On the Arizona side, how much land—outside of the land belonging to the Indians—could be irrigated?

Mr. NEWELL. By gravity diversion it is possible to cover about 150,000 acres. In addition, a pumping plant could be installed to lift the water to the lands at a slightly higher elevation.

The CHAIRMAN. At which of those three points on the river would you prefer to undertake the work?

Mr. NEWELL. We think the most desirable point is near Parker, on the Colorado River Indian Reservation. The Government has control of both sides of the river; the project would utilize not only the Indian lands, but would result in a great economic development of that entire country.

The CHAIRMAN. Have you any estimate of what this would cost?

Mr. NEWELL. Mr. Hill has made various estimates on that point.

Mr. HILL. It would be hard to estimate, but it is one of the cheapest projects that we could develop. It would cost about \$30 an acre for gravity supply, and these lands would sell, with water, for at least \$100 per acre.

The CHAIRMAN. Will you give us a short estimate for the record, showing where the dam would be located and the estimated distance to bed rock? Would it be near the bed rock?

Mr. NEWELL. Bed rock probably is not within several hundred feet of the surface. Construction there must be similar to that of the Laguna Dam above Yuma; that is, it must be a structure erected on piles.

The CHAIRMAN. Would not the water have a tendency to percolate under a dam of that kind?

Mr. NEWELL. It would, except that that tendency to percolate would be counterbalanced by the ease of going over the dam.

The CHAIRMAN. It will be somewhat on the principle of the Gatun Dam?

Mr. HILL. We have built several dams similar to the Gatun Dam, and it is simply a question of finding the factor of safety of that unstable material.

Mr. BURKE. How many feet can you raise the water and irrigate successfully, or is it practicable and feasible by pumping it?

Mr. NEWELL. It depends on the crop value. With ordinary crops it should represent a cost of lifting water by steam power to a height of about 30 or 40 feet. If cheap hydro-electric power can be had, the limit of lift is probably higher. We are pumping 90 feet by hydro-electric power on the south side, Minidoka project, Idaho.

Mr. BURKE. What do they use for fuel in this pumping?

Mr. NEWELL. Oil is the cheapest fuel in many localities.

Mr. BURKE. There is no reason why your department could not do all the work of reclamation upon the Indian reservations, is there?

Mr. NEWELL. That matter has been under discussion for many years. We are willing to act as contractors and build large works, but we do not desire to undertake the many little jobs scattered all over the country. There are many conditions pertaining to the investment of Indian money, which are so complicated that it is almost impossible for any business man to carry on that work with satisfaction. We are doing some work for the Indian service very successfully. We have been quite successful in employing a large number of Indians, more especially on the Arizona work, where we employed Apaches, who were considered least desirable, but turned out to be among the best of laborers. It is not at all satisfactory if we must make our claims against the Indian appropriation. We desire all our dealings with the Treasury where we can secure an immediate settlement of claims. Under the system as adopted, claims coming into my office go out in two or three hours to the Treasury, and the warrant is drawn at once. In that way we can secure cash discounts. For that and many other reasons we have avoided entering into the minor details of this Indian work.

Mr. VALENTINE. May I say for the record a hearty "Amen" to that?

Mr. NEWELL. The Reclamation Service, being a new bureau, has been able to break through much of the red tape which is attached to many of the older bureaus. We have a thorough system of accounting, by which we know exactly what things cost. When we give the cost of construction, that includes the overhead charges and the depreciation. In comparing our work with that of other bureaus, they frequently appear to be high, because we give all the costs, adding in overhead charges and depreciation.

Mr. BURKE. This proposition here is for a \$35,000 appropriation, added to a \$50,000 appropriation, to be expended in connection with the plant on the Colorado River for a pumping station. You say these pumps will wear out in a short time?

Mr. NEWELL. The life of the pumps depends largely upon the care given them. We figure the depreciation of pumps of the kind proposed at about 10 per cent.

Mr. BURKE. You estimate that the pumps will wear out in about 10 years. What would be the expense of replacing them, and is it an expensive proposition to maintain a pumping plant?

Mr. NEWELL. Such a pumping plant is expensive and uneconomical. It is simply tiding over conditions until a permanent plant can be built.

Mr. BURKE. Is that true generally of irrigation by the pumping process?

Mr. NEWELL. It is so unless the machinery is so well planned and so comprehensively designed and the area so large that the annual depreciation will be taken care of by the larger acreage successfully cultivated. You can not afford to pump water for a small acreage with an expensive plant.

The CHAIRMAN. Would copper pumps be more economical for this purpose than steel or iron pumps?

Mr. NEWELL. No, sir; the great thing is to avoid the rubbing parts; fine grit will get in and wear out the metal.

The CHAIRMAN. And you think copper or brass would be no better than steel?

Mr. NEWELL. No, sir; they would not. Pumping is now a highly specialized line of work. The present developments are along the line of rotary pumps, with all the moving parts rotating.

Mr. MERITT. The Colorado River Reservation, in Arizona, has about 502 Indians located upon it. It will require about 5,000 acres of irrigated land to furnish 10 acres apiece to each Indian on this reservation, which will be ample. There are 150,000 acres of irrigable land on this reservation. I believe this proposed project can irrigate over 200,000 acres. It will probably cost about \$6,000,000. My inquiry is this: Should this be considered an Indian project, which will really irrigate only about 5,000 acres of land that will be used by Indians, or should it be constructed as an absolute reclamation project outside of the Indian service, and permit the Indians to pay their pro rata share of the cost of this project, which will be about \$30 per acre?

Mr. NEWELL. That is a pertinent question. We have always considered this a reclamation scheme in the development of which we might join with the Indian service, for the benefit not only of the Indians but of the whole country. Our first proposition was to pay

in a small amount of money from the reclamation fund and start the work on a basis of, perhaps, \$200,000 per year, in order to get it along to the point where we could hold the work until the returns from the reclaimed land would be sufficient to carry it through. The objection to that plan has been that Arizona has already received such a large amount from the reclamation fund that other States, perhaps Oklahoma, have protested that they have not been getting a "square deal."

The CHAIRMAN. And Texas also.

Mr. NEWELL. I have always protested against allotting as large an irrigable area to each of the Indians of Arizona, because of their habits and the improbability of their ever utilizing as large an area as that of very fertile land. In connection with the Yuma Indians and these on the Colorado River Reservation, I have always argued for 5 acres as a maximum. These Indians living on the Mohave Reservation and on this reservation and on the Yuma Reservation are not agricultural Indians. They now sustain themselves by the squaws weaving and selling fancy articles, and doing a little laundry work for the whites. The men do work, especially when they can work in gangs like white men. But here is the condition: You let an Indian have, say, 10 acres apiece of irrigable land, or 30 acres or 40 acres to the family, and it will be practically of little value to him. The cost of clearing the ground will run from \$20 to \$30 or \$50 per acre, and considerable labor is involved in keeping it cleared. The plants grow almost as in a tropical jungle. It is not probable that an average Indian would cultivate more than a few acres of his allotment.

The CHAIRMAN. Where does that tremendous growth come from?

Mr. NEWELL. It comes from the overflow of the river. Such growth as willows and cottonwood springs up very rapidly, and it is extremely difficult to keep the growth cleared off. The result is that you would have the cost of maintaining an expensive system of irrigation with the Indians cultivating only 1 or 2 acres of their allotments. With such small areas under cultivation no one can afford to pay the annual cost of maintenance and the keeping up of the ditches to the entire area. In other words, the cost of maintaining the system with these 10-acre allotments will be more than the entire value of the crops produced. In my opinion, it would be cheaper to go into the market and purchase the products the Indians would raise and ship it to them and make them a present of it than to undertake to maintain a large irrigation system to the 10-acre allotments to each man, woman, and child and with such small areas under cultivation as are now at Yuma and probably will be here.

Mr. FERRIS. The irrigation of Indian lands is assumed to be for the benefit of the Indians, and it is therefore appropriated for and carried in the Indian bills. To what extent is it true that we could better appropriate money to buy beans and potatoes for the Indians than to furnish water to enable them to raise such products on their lands?

Mr. NEWELL. That is an embarrassing question to answer. It depends on the Indian and upon our definition of what an Indian is.

Mr. FERRIS. In order to have successful irrigation there must be some energy and industry on the part of the owner of the land to

make it available. Is not that true in every case? And in the main, the real Indian does not manifest much of that energy and industry required to make irrigation successful on the land?

Mr. NEWELL. Very few Indians have the energy and industry to handle profitably more than 5 acres for the entire family, and 40 acres are too much.

Mr. FERRIS. What percentage of the projects that have been undertaken for Indian reservations have been successful from a business and financial standpoint?

Mr. NEWELL. Very few. I think the work on the Flathead Reservation in Montana is successful, even for actual Indians, and probably that on the Blackfoot will be.

Mr. VALENTINE. I want to suggest that I think this can be very carefully considered by the committee—this point that if the Government felt that it could step in here on the Colorado River Reservation and finance a real project along the lines which Mr. Meritt suggests. It seems to me to be a wise suggestion. There is no question in my mind that this land would be worth anywhere from \$100 to \$200 per acre, and I think the advantage would be very considerable, because it is some of the best land in the country. Lands no better in other parts of the country have sold for \$200 per acre. Now, if the Government, instead of sitting back and permitting private projects to be developed in there, should retain this land and get all the profit, I think we should consider very carefully what could be made from these lands for the benefit of the Indians, as a reimbursable proposition, if it were financed in the way Mr. Meritt has suggested.

The CHAIRMAN. The next item is, "For continuing the work of constructing an irrigation system for the irrigation of lands of the Pima Indians in the Gila River Indian Reservation, \$40,000: *Provided*, That the amount hereby appropriated shall be repaid into the Treasury of the United States in accordance with the provisions of section 10 of the act of March 3, 1905 (33 Stat. L., p. 1081)."

Mr. VALENTINE. This is one of our most important problems, and I submit the following justification in support of that item:

*Irrigation, Pima Indian lands, Arizona (reimbursable).*

Fiscal year ending June 30, 1912, amount appropriated.....	\$125,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	75,000.00
Amount expended.....	63,481.30
Unexpended balance.....	11,518.70

*Analysis of expenditures.*

Employees .....	\$28,179.17
Material .....	27,224.26
Subsistence, forage, and miscellaneous supplies.....	4,128.51
Traveling expenses.....	56.40
Depreciation on equipment.....	3,892.96
	63,481.30

*Pima.*

Number of Indians.....	4, 246
Land now irrigated.....acres..	<sup>1</sup> 12, 000
Land to be irrigated.....acres..	12, 000
Additional area of flood-water irrigation for grain, approxi- mating.....acres..	8, 000
Cost per acre.....	\$50. 25
Estimated cost, including laterals.....	\$602, 972. 50
Amount expended on this project to July 1, 1911.....	\$361, 276. 20
Value per acre when irrigated.....	\$150 to \$200

## MEMORANDUM ON THE PIMA PROJECT.

The problem of furnishing a permanent water supply for the Pima Indians is one which has been before the department for a period of over 25 years.

The situation, in brief, is as follows:

The Pima Indians are pastoral in character, and for generations prior to the advent of the whites in Arizona had been tilling their fields and enjoying a degree of agricultural prosperity not since experienced. The Gila River, which traverses the reservation, furnished, in the early days, an abundance of water for irrigation purposes, even during the low-water period. The subsequent extensive grazing on the headwaters of the stream changed the nature of this river in a large measure, rendering it more torrential in character, due to the rapid run-off which occurred after the watershed had been denuded of its grasses. It became a river of violent floods, whose waters at such times are said to contain a larger percentage of silt than any other river in the world. These floods, sporadic in character, are succeeded by long months of drought, when the river channel may be dust dry, and frequently at a time when the crops of the Indians are dying for want of possibly one or two irrigations.

A further contributing factor tending to decrease the low-water supply of the Indians was due to the settlement of many whites, over 30 years ago, in the upper Gila Valley, 150 miles or more above the Pima lands. These settlers appropriated water from the Gila River to a degree which undoubtedly curtailed the summer supply for the Pimas. It was believed impracticable by the office to attempt at this late date to embark in extensive litigation with a view of dispossessing these settlers of the water supply. The only alternative left was to seek a method of obtaining a certain additional amount of permanent water to supplement the waters available during the flood period of the Gila River.

Investigations were first made to ascertain the possibility of creating a reservoir on the Gila River at San Carlos, but the large cost incident to the construction of the high masonry dam required was such as to discourage the enterprise. In the meantime it had been ascertained that an abundant underground-water supply was available in the neighboring Salt River Valley, and that desert lands were being reclaimed through the use of such waters. The chief engineer of the service recommended the installation of an experimental pumping plant in the Pima Reservation. His recommendation was approved, and it was subsequently found that the underground-gravel strata in the Gila Valley would also yield an abundant supply of water when drawn upon by pumping plants.

The large number of Indians whose interests were at stake decided the Indian Office in recommending the installation of hydroelectric centrifugal pumping stations, sufficient in number to furnish a supplemental supply of water to irrigate approximately 12,000 acres of land. Steps have also been initiated toward protecting the rights of the Pima Indians in the flood waters of the Gila River.

The lands are now about to be allotted in a manner which will give each Indian a small tract which can be assured a permanent water supply. The Indians will also be given additional irrigable lands, located, in some instances, under canal systems and on which grain crops can be raised in ordinary years by the application of flood waters, supplemented by seepage or return waters available at certain points in the Gila River during the summer season.

<sup>1</sup> This area includes 7,500 acres not under this project but on the reservation.

DEPARTMENT OF THE INTERIOR,  
UNITED STATES RECLAMATION SERVICE,  
OFFICE OF THE DIRECTOR,  
Washington, D. C., November 2, 1911.

COMMISSIONER OF INDIAN AFFAIRS,  
Washington, D. C.

DEAR SIR: Pursuant to request contained in your letter of October 3, 1911, that studies for wells on the south side be made special, and additional estimates be made for extending the permanent transmission line and sinking at least one well at Casa Blanca and one at Gila Crossing, request was made upon the supervising engineer at Phoenix to make a report estimating the cost of extending the transmission line and sinking wells as indicated.

Inclosed herewith is copy of an estimate, dated October 17, 1911, signed by J. D. Stannard, engineer, giving the cost of one well at Casa Blanca, from 200 to 300 feet deep, as \$7,300 to \$10,300; transmission line for same, \$14,300 to \$16,000, making a total for this well of \$21,600 to \$26,300, and for the well at Gila Crossing \$7,300 to \$10,300, with an additional amount of \$52,000 to \$67,500 for the transmission line, a total for the Gila Crossing well of \$59,300 to \$77,800.

There is also inclosed copy of a letter, dated October 18, 1911, by the project engineer, addressed to Mr. L. C. Hill.

Yours, very truly,

A. P. DAVIS,  
Acting Director.

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PHOENIX, ARIZ., October 17, 1911.

Mr. C. H. FITCH,  
Project Engineer, United States Reclamation Service Building.

DEAR SIR: I beg to submit a report of the approximate cost of sinking one test well at Casa Blanca and one at Gila Crossing, together with additional estimates for extending the permanent transmission line to the well locations, which was requested through the director by Mr. Valentine, Commissioner of Indian Affairs.

No tests of constructing deep wells have ever been made near either of these localities, consequently nothing is known of materials that would be encountered in sinking a well at either point, so that any estimate of cost of construction would be based upon the cost of similar construction in other localities at which we have a number of wells which were sunk within a comparatively short distance.

One well, 200 to 300 feet in depth, complete, would cost approximately \$10 per foot, or \$2,000 to \$3,000 for the drilling, which would include the cost of the casing. The concrete caisson, 50 to 60 feet in depth, would cost from \$2,000 to \$4,000, depending upon conditions and material. Concrete pump house over the wells to house machinery, \$500; well machinery and installation, \$2,800; making total cost of the well from \$7,300 to \$10,300.

To reach the location in the Casa Blanca district would require the following extension of the 10,000-volt transmission line from the substation on the Gila River Indian Reservation: Six to 7 miles of ordinary construction, at \$1,800 per mile, would amount to \$10,800 to \$12,500; crossing the Gila River with one span, \$3,500; making total cost of the transmission line from \$14,300 to \$16,000.

The well at Gila River crossing, if located on the north side of the river, will be about 16 miles from Phoenix, and if located on the south side of the river will be from 18 to 20 miles from Phoenix. In either case the distance is considered too great to transmit at 10,000 volts, and it would be necessary to construct a line capable of carrying 40,000 volts. This would require more expensive work than a line of lower voltage. It would also be necessary to construct and equip a transmission station near the well location. The cost of this would be approximately \$20,000.

## SUMMARY.

One well at Casa Blanca, 200 to 300 feet in depth, cased with 16-inch casing-----	\$2, 000	to	\$3, 000
Concrete caisson, 50 feet to 60 feet-----	2, 000	to	4, 000
Pump house-----	500		500
Pump and electrical equipment-----	2, 800		2, 800
Total-----	7, 300	to	10, 300
Transmission line, 6 to 7 miles, 10,000 volts-----	10, 800	to	12, 500
Gila River crossing-----	3, 500		3, 500
Total extension transmission on line-----	14, 300	to	16, 000
Grand total for the completed well-----	21, 600	to	26, 300
Well at Gila crossing, 200 to 300 feet in depth-----	2, 000	to	3, 000
Concrete caisson-----	2, 000	to	4, 000
Pump house, concrete-----	500		500
Pump and electrical equipment-----	2, 800		2, 800
Total-----	7, 300	to	10, 300
Transmission line, 16 to 20 miles, 4,000 volts-----	32, 000	to	44, 000
Gila River crossing (if on south side of Gila River), 1 span-----			3, 500
Transforming station-----	20, 000		20, 000
Total-----	52, 000	to	67, 500
Grand total for completed well-----	59, 300	to	77, 800
Very truly, yours,			

J. D. STANNARD, *Engineer.**Gila River Project, Ariz.*

Five hundred thousand dollars have been appropriated for this project, as follows:

Amount.	Limit.	Act.	Date approved.
\$50,000.00	Permanent....	33 Stat., 1081.....	Mar. 3, 1905
250,000.00	do .....	34 Stat., 333.....	June 21, 1906
75,000.00	do .....	Pub., 114, 4.....	Apr. 4, 1910
125,000.00	do .....	Pub., 454.....	Mar. 3, 1911

Four hundred and thirty-two thousand eight hundred and thirty-five dollars and twenty-six cents have been expended on this reservation, of which \$71,559.06 have been expended separate from the project, estimated to cost \$540,000. This will not only irrigate the 10,000 acres contemplated in the original estimate, but with the \$40,000 requested for 1913 in addition to the amount now available will irrigate 2,000 acres additional and provide flood waters for a much larger area.

Ten wells, averaging 233 feet in depth with caissons, have been completed, pumping plants and transmission lines installed, and flood-water canal, with a capacity of 300 cubic feet per second, constructed, as well as 13 miles of other canals, with capacities varying from 10 cubic feet to 135 cubic feet.

The Reclamation Service estimates that 4,500 acres have been supplied with all the water required when the Gila River did not carry sufficient to irrigate the lands during the season of 1911.

This is a reimbursable appropriation.



*Summary of charges made against Office of Indian Affairs for work performed and materials furnished for Indians on Gila River Indian Reservation to Aug. 31, 1911.*

<b>Sacaton Canal:</b>	
Location and survey.....	\$5, 799. 39
Clearing and grubbing.....	3, 500. 57
Excavation class 1.....	34, 392. 61
Excavation class 2.....	3, 187. 91
Excavation class 4.....	20, 245. 17
Well line branch excavation.....	5, 345. 03
Dyke lines excavation.....	1, 728. 74
Waste ditch excavation.....	951. 74
Santan crosscut.....	928. 52
Structures.....	43, 900. 20
Truss bridges.....	1, 896. 91
Culverts.....	663. 16
Farm bridges.....	1, 196. 88
Canal road.....	179. 47
<b>Transmission line:</b>	
40,000 volts.....	7, 530. 10
10,000 volts.....	18, 365. 61
Sacaton Agency.....	779. 80
Telephone line.....	1, 007. 03
Substation.....	21, 877. 12
Miscellaneous structures and expense substation.....	681. 42
Cottage at substation.....	7, 396. 73
Drilling wells.....	23, 310. 30
Installing machinery.....	70, 794. 52
Sinking well caisson and installing machinery well "C".....	8, 688. 47
Indemnity claim.....	1, 770. 00
<b>Total.....</b>	<b>286, 126. 40</b>

Right at this point I feel very strongly that the reimbursable nature of this item should be stricken out.

The CHAIRMAN. Is it not a fiction? There is nothing to reimburse from.

Mr. VALENTINE. I am not so sure, if the matter is handled in proper fashion, that it is a fiction. But, whether a fiction or not, it was not in past years. The loss of this river water to these Indians was due entirely to the negligence of the Government of the United States.

The CHAIRMAN. What loss have they sustained, according to your view of the matter?

Mr. VALENTINE. At present the river water has been so taken up above them that the Indians have only the flood water of the river.

The CHAIRMAN. Do you think the same rule applies to them as to white men? Is it not a fact that, the Indians being wards of the Government, no prescriptive right would run against them?

Mr. VALENTINE. I do not consider that the Pima Indians have lost their rights, and it is only a question of the Government asserting their right. But whether they have lost rights or not, they have certainly lost their water, and the reclamation can be effected better through water than through rights.

The CHAIRMAN. Is there anything outside of the statement you have given us that you desire to state in regard to the matter?

Mr. VALENTINE. I have a great many ideas upon the subject, but I simply wanted to make that statement because I considered it very vital at this point.

The CHAIRMAN. You had, I see, \$125,000 last year, and asked for \$40,000 this year. Are the wells completed to such an extent as to require this?

Mr. VALENTINE. That was the amount we calculated would be necessary to carry on certain additions to make the present plan there effective, or completed.

The CHAIRMAN. The system of irrigation here is by wells, is it not?

Mr. VALENTINE. It is a compound system—partly by river flood water and partly by wells.

The CHAIRMAN. What system of dams have you?

Mr. VALENTINE. I think it might be well for you to ask Mr. Newell or Mr. Hill, as this work has been done by the Reclamation Service.

The CHAIRMAN. It was done at the request of the Indian Bureau?

Mr. VALENTINE. Yes, sir. It might be pertinent to state for the record at this point that much of the blame that has been given in various quarters as to the manner in which this project has been handled, and which to some extent has fallen on the shoulders of the Reclamation Service, is entirely undeserved, so far as they are concerned, and whatever blame should attach should rest entirely upon the Indian Service, which has had absolute control of it.

The CHAIRMAN. Then, it was done under the control of the Indian Bureau?

Mr. VALENTINE. Yes, sir; and the Reclamation Service has acted simply as agent and contractors in carrying out our desires, and they had charge of the work out there under the Indian Bureau, and, insofar as questions of policy were concerned, our Indian reclamation service, under Mr. Code, was responsible.

The CHAIRMAN. How long had he been in the service in that capacity?

Mr. VALENTINE. Nine years.

The CHAIRMAN. He made an estimate, you stated in your evidence, on the Colorado River Reservation also?

Mr. VALENTINE. He has been in general charge of our service and been the consulting engineer on all these projects.

The CHAIRMAN. Who has his position now?

Mr. VALENTINE. No one; it has not yet been filled.

The CHAIRMAN. He has retired?

Mr. VALENTINE. Yes, sir.

The CHAIRMAN. How long has he been out of the service?

Mr. VALENTINE. He resigned last fall, I think. His resignation took place on November 1, at his request.

Mr. FERRIS. These Indians have no trust fund at all, have they?

Mr. VALENTINE. No, sir.

Mr. FERRIS. And they have not had any for some time?

Mr. VALENTINE. No, sir.

Mr. FERRIS. Have they any surplus land assets?

Mr. VALENTINE. They should have.

Mr. FERRIS. Of what probable value?

Mr. VALENTINE. Of very great value, because the land is splendid as to soil, and if their rights could be turned into water, that land would have a very high value.

Mr. FERRIS. I did not intend to ask about the prospective value, but the value at the present time.

Mr. VALENTINE. That is a very difficult question to answer, because they have quite a speculative value. If a firm could hold them for their speculative value they might afford to pay for the lands \$10 or \$15 per acre and be reasonably certain that at some time they could recoup.

Mr. FERRIS. To make my question plain I will say that I do not think we ought to deal with speculative values as to these reimbursable appropriations we are making. What, in your opinion, would they sell for now?

Mr. VALENTINE. If that land was put under the hammer to-morrow I would not pay 10 cents an acre for it.

Mr. FERRIS. Then, as a matter of fact, if you take away the possibilities of putting water on it the land is practically of no value at all?

Mr. VALENTINE. I do not want to seem captious in putting in these limitations. That is a wonderful soil, and where there is some prospective value from water you can not eliminate the speculative feature, because we have too keen a sense for possibilities. However, if that land was put under the hammer to-morrow, then unless there was a pretty big gambler in the crowd, you could not get anything substantial for it.

Mr. FERRIS. How much money has been appropriated heretofore for this purpose?

Mr. VALENTINE. About \$500,000.

Mr. FERRIS. And in each case it has been recited that it was reimbursable?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. With slight possibilities of ever realizing on it?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. This plant that is being operated now is a pumping proposition, is it not?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. Did you hear the statement of Mr. Newell a few moments ago to the effect that in most cases pumping propositions were sufficiently expensive to be almost prohibitive? What is your opinion on that?

Mr. VALENTINE. I heard his statement, but do not recall those words.

Mr. FERRIS. I so understood him to say that in substance.

Mr. VALENTINE. There is about a pumping proposition a considerable element of cost. There is the power cost—

Mr. FERRIS (interposing). Which is quite great where fuel must be used.

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. Have you made an estimate whereby you can tell us whether or not this project of using water from the pumping station is or is not a financial success?

Mr. VALENTINE. Two elements enter into that. First, the element of the quality of the water; and the second element is the comparative opportunities as between the gravity and the pumping system.

Mr. FERRIS. I did not intend to go into the realm of speculation. This irrigation business sometimes, figuratively speaking, takes on the hue of the aurora borealis. What I desire to know is, has there been any estimate made during the time this water has been used on this land as to the cost per acre, and the relative results per acre?

Mr. VALENTINE. Yes, sir; there has been.

Mr. FERRIS. Last year \$125,000 was appropriated, and this \$40,000 is being asked for. Is this amount asked for this year, if given, sufficient to complete the plant?

Mr. VALENTINE. That would be sufficient, my understanding is, to put the present 10 wells in working order, and to supply water from the flood-water ditch which has been provided there to the well-water canal.

Mr. FERRIS. How much land is now under irrigation, or will be when these 10 wells are in operation?

Mr. VALENTINE. About 10,000 acres.

Mr. FERRIS. How much will have to be appropriated from the Federal Treasury each year in order to keep that going?

Mr. VALENTINE. I should say the cost—and Mr. Newell can correct me if my figures are off—about \$40,000 a year.

Mr. FERRIS. How long will it be before this plant will be self-sustaining, if it ever will be?

Mr. VALENTINE. When the Indians are in such an industrial condition that they can pay it back, provided the Government makes it reimbursable.

Mr. FERRIS. That, of course, is a time you can not fix. So far as the present is concerned, after these plants are to be erected and put in operation and turned over to the Indians practically as a gratuity, they then are not able to stand alone?

Mr. VALENTINE. Not under the present conditions.

Mr. FERRIS. And will not be until the Indians get higher in the scale of civilization and industry?

Mr. VALENTINE. I would modify it a little; they have intelligence and industry, but these Indians have been having a raw deal for years.

Mr. FERRIS. But after this plant has been established and in running order and turned over to them, if they have this high degree of intelligence and industry you speak of, why is the irrigation not a success, and why do we have to appropriate \$40,000 each year to keep it going?

Mr. VALENTINE. As I figure the charge, it would amount to \$4 per acre. The only reason why it would not be successful would be a psychological reason. The Indians are bitterly opposed to the use of this well water, and some of them who are willing to use the water are prevented from doing so by others. Some of them were willing to use the water under the condition which I laid before them when I was down there, but the use of the water is bitterly opposed by other members of the band, who do not want any of the land under those conditions. It will take a long time to remove that objection, even if there is no basis for it; and, in the next place, if there is no basis for it, it will be a difficult matter to prove that point to them.

Mr. FERRIS. What contention is there—that the water is bad?

Mr. VALENTINE. That there are too many solids in it.

Mr. FERRIS. What are the facts about it?

Mr. VALENTINE. The facts about that are not absolutely certain in my own mind.

Mr. FERRIS. Has Mr. Newell made a report on that?

Mr. NEWELL. The water is strong in alkali, as all the waters of Arizona are; if the water is taken from the river, it will injure the land if it is not properly used; if it is properly used, the land can be cultivated and improved. It is simply a question of whether water is used properly or improperly.

Mr. FERRIS. Are these Indians of sufficient intelligence industrially to use the water in a proper way?

Mr. NEWELL. They can use it properly, and will do so when they get away from this present more or less hysterical condition. They are disturbed, because they feel that they have been deprived of certain unsettled rights in the river water. The young men would now use this pumped water, but are prevented from doing so by the sub-chiefs, who tell them that if they use the well water it will interfere with the rights of the tribe to the river water. There is no question in my mind nor in Mr. Hill's mind as to the agricultural value of the water when used properly. As a matter of fact, one man used the pumped water and raised cotton to the extent of \$54 net profit on a little more than an acre. This same water has been successfully applied by settlers out there.

Mr. FERRIS. What is the depth of this water?

Mr. NEWELL. It is raised 20 or 30 feet or more.

Mr. FERRIS. Can irrigation be made self-sustaining there?

Mr. NEWELL. Yes, sir; if operated by hydroelectrical power, and it could be made one of the best pumping plants probably in the world.

Mr. FERRIS. If this \$40,000 were appropriated, and these 10 wells you have been inquiring about were put in commission, and the lands were used, what would be the annual cost per acre?

Mr. NEWELL. As Mr. Valentine stated, about \$4. There will be no difficulty when we get the Indians to use the land. A few men who would use it are prevented from doing so this year, and the conditions, I think, are very unfortunate. The Department of Agriculture has demonstrated the value of that water for irrigation purposes, but certain parties have got these Indians so stirred up over the situation out there that they will not use the water nor permit others to do so.

Mr. FERRIS. Is it good policy under these conditions, while they are laboring under that hysteria, to build up the plant until their minds are adjusted to the situation?

Mr. NEWELL. It should be finished and operated either on a demonstration basis or with such men as are willing to utilize the ground. If the minority of the members of the tribe could be protected in the use of the water, it should be done.

Mr. FERRIS. What proportion of the Indians are willing to use it?

Mr. NEWELL. I think a large minority. Of course, we can not state just what sentiment prevails. We have a pumping plant there practically completed and ready for use, and are now stopped in its successful use by this agitation which has been worked up among the Indians, which started with the San Carlos proposition.

Mr. FERRIS. And that was rejected?

Mr. NEWELL. That project was investigated very carefully, and I appeared before the committee here several times. I think you will find the report of the hearings covering the proposition.

Mr. BURKE. Is this \$40,000 proposed by this bill simply for operation, or is it for continuing construction work?

Mr. NEWELL. I am not quite clear as to what the original estimate was, but we must continue the lateral system of distributing canals.

Mr. BURKE. Is there any actual operation of the plant at the present time?

Mr. NEWELL. I think they are simply turning over the machinery to see that it works all right.

Mr. VALENTINE. I told the Indians themselves when I was down there that until their state of mind changed no further wells would be dug and the project would not be extended in any way; that the present project should be put in such condition that if anyone wanted to take water, they could get it, and the flood-water ditch would be so cut that the canals could be filled from the flood water. I told them that any young man who wanted to go in there could be given a tentative allotment.

Mr. BURKE. Suppose the Indians—all of them—are willing to accept your proposition, what could you do toward actual irrigation?

Mr. VALENTINE. Well, the Indians on that reservation were practicing irrigation probably before Columbus landed in this country, and the present Santan ditch, which we are using, was constructed 30 years ago. The Indians have been raising crops of wheat, alfalfa, and other things on that ditch for many years.

Mr. BURKE. You do not answer my question. My question was this: As I understand from what has been said, these Indians are so opposed to this project that many of them, or a majority of them, decline to accept it and are now preventing those who are inclined to accept the benefits of it from doing so. What I want to know is, what could you do, so far as this project is concerned, in the way of actual irrigation if the Indians were all willing to go in and accept the water?

Mr. VALENTINE. It would be, if I understand the question, exactly what the quality of the water would permit. There is ample water, apparently, to cover this land.

Mr. BURKE. Is the project now ready, so that you could put water on that 10,000 acres of land?

Mr. VALENTINE. It is substantially ready.

Mr. BURKE. Then the project is practically completed?

Mr. VALENTINE. It is substantially completed.

Mr. BURKE. And no further money will be necessary for construction purposes?

Mr. VALENTINE. Not for the present unit. On the basis of the present unit there are enough wells now complete.

Mr. BURKE. In a hearing before a subcommittee of this committee some man by the name of Capt. Martin—Herbert Martin—who stated that he was the financial clerk of the Indian agency at Sacaton, Ariz., under the Interior Department, made this statement: "Although \$500,000 has been appropriated, it is estimated that an additional appropriation of over \$1,000,000 must still be made if the

system is to be completed." Now, in making that statement, he must have considered something besides this unit that you have referred to.

Mr. VALENTINE. Yes, sir; more wells were contemplated to carry the water to other villages on the reservation.

Mr. BURKE. The Indians, or a majority of them, are asking that this project be suspended, are they not?

Mr. VALENTINE. Yes, sir.

Mr. BURKE. The construction, when the first appropriation was made, was limited to \$540,000, was it not?

Mr. VALENTINE. That was the limit fixed by Congress.

Mr. BURKE. So that the \$40,000 now asked is within the limit of cost?

Mr. VALENTINE. Yes, sir.

Mr. BURKE. And that act provided that it should be reimbursable?

Mr. VALENTINE. Yes, sir.

Mr. BURKE. Why should it not be reimbursable?

Mr. VALENTINE. I say it should not be reimbursable for this reason: As riding over that country on horseback shows, a great amount of land was formerly under cultivation by these Indians which has since been neglected. That neglect is due to the fact that there was a lack of water from the river. The flow of the river has diminished, and that is due to the fact that settlers have gone into the upper valleys above San Carlos Reservation and put water over 23,000 acres of land. The taking of the water out of the river has affected the flow of the water, and it has been substantially a loss to these Indians.

Mr. BURKE. And they have been deprived of water on that account?

Mr. VALENTINE. Yes, sir.

Mr. BURKE. For how many years has that condition existed?

Mr. VALENTINE. It has been going on for several decades, and they feel that if those rights had been preserved and that water retained for them, this project would never have been necessary. They feel that this project was brought forward on behalf of Indians who for centuries had been using the river water, and this appeared to them like a new-fangled project that they did not understand, and no matter how good it might be from the ideal standpoint, to them it was not as good as the regular river flow.

Mr. BURKE. How long has it been since this opposition developed on the part of the Indians that you speak of against this project?

Mr. VALENTINE. I think it is within the last year and a half.

Mr. BURKE. And up to that time, so far as you know, they were willing that this project should be carried on?

Mr. VALENTINE. So far as I know there was no opposition to this project up to that time.

Mr. BURKE. I believe Mr. Newell said that there is successful irrigation in the same vicinity by white men of the same kind as is proposed by this project?

Mr. VALENTINE. Yes, sir.

Mr. BURKE. And the Indians, if I understand you correctly, have not experimented at all?

Mr. VALENTINE. Not to any extent.

Mr. BURKE. Would it not be possible to put a sufficient force in there to protect these Indians who want to use this water?

Mr. VALENTINE. I do not think any force would be necessary. We have had an unfortunate condition there for the past two years, owing to the superintendent, who was recently dismissed. A new superintendent is now on his way; and if he proves to be the man of strength of character, judgment, and tact that I expect him to be, he should be perfectly able to bring it about that any Indian wanting to use the water shall have the privilege of doing so.

Mr. NEWELL. I would like to make a brief statement referring to this situation of the Gila River Indian Reservation, which is a very important one not only to the Indians but to white citizens of Arizona. As Mr. Valentine has stated, the Indians on the Gila River Indian Reservation have been irrigating from time immemorial, using water directly from the Gila River. About 1888, in Mr. Cleveland's first administration, I had been recently appointed and happened to be brought into very intimate connection with this matter. The question of the rights of the Pima Indians to the waters of the Gila River was brought up and referred to the Attorney General, and after considerable discussion and preparation of reports it was concluded, apparently, that their rights could not be established in the courts. Several years later—five or six years later, I believe—the matter was again brought up, in Mr. Cleveland's second administration, with apparently the same conclusion.

Now, it appeared that the settlers on the river a hundred miles above the reservation had been taking water from the river, and doing it with the knowledge of the Government; in other words, the United States had said to these people, "If you will settle on these desert lands you may have them, the only condition being that you will take water out of the Gila River to reclaim and cultivate them." It appeared that the Government had encouraged the people to come in and take out the water and to use it for irrigation purposes.

Mr. BURKE. Were those people the Mormons?

Mr. NEWELL. They were largely Mormons who settled in Solomonsville Valley. They now have a highly developed country—a very prosperous community—and it is questionable whether any court or any man would be in a position to deprive them of the water. These features of the matter have not been passed over in ignorance; all the facts of the matter have received very careful consideration by the department, and as a result of this consideration it was not deemed wise to attempt, apparently, to take into court the question of the rights of the Indians below Solomonsville Valley on the Gila River Indian Reservation. One point, also, should be kept in mind, namely, that even if we get back the original rights of those Indians, these old rights are not adequate for their present needs. The courts would protect them only to the extent to which the water has been put to beneficial use in the past.

An attempt was made to obtain from Congress an appropriation for building a storage reservoir on the Gila River, and the local people interested put their claims in the hands of a Mr. Whittimore, who spent several winters here in Washington. Having known him quite intimately while he was here, I had all the arguments for and against the structure. Finally, after many years of effort and discussion by this committee of the House, it was concluded that the cost of storage water would be so great, compared with the bene-



fits to be derived, that there was no justification in the Government building the reservoir. At a later date the reclamation act (of June 17, 1902; 32 Stats., 388) was passed, and this question was then brought to the attention of Secretary Ethan Allen Hitchcock, who at that time decided that the reclamation fund could not be used for reclamation of Indian lands. His line of argument I do not recall now, but the San Carlos project was not approved, and we were ordered to take up the Salt River project. The Senate Committee on Indian Affairs, I think, of which Senator Platt, of Connecticut, was chairman, asked if we could not secure water for the Pima Indians by pumping. We had an examination made, and in Water Supply Paper No. 104, by Willis T. Lee, printed in 1904, is given a full discussion of the qualities of the river and well waters. (See U. S. Geol. Survey, Water Supply Paper No. 104; The Underground Waters of Gila Valley, Ariz., by Willis T. Lee.) At that time the work of the Reclamation Service was under the director of the Geological Survey, Dr. Charles D. Walcott.

The quality of the waters in this valley were given very careful consideration from the outset. It was known that practically all the waters of Arizona were alkaline. In this connection it may be noted that when we speak of alkaline waters, the waters under consideration contain in solution far less mineral salts than the waters of west Texas. To-day lands are being irrigated and sold in Texas with a water supply that is three or four times as alkaline as those under consideration.

The CHAIRMAN. You mean in solids?

Mr. NEWELL. Yes; for example, taking the Pecos River, the water at Hagerman, in New Mexico, was found to contain 200 parts of salts to 100,000 parts of water; at Carlsbad, N. Mex., 240; at Florence, 282; at Red Bluffs, 316; and at Barstow, Tex., near Pecos City, 420 parts; while below Barstow, the water from the river was found to contain 526 parts of salts per 100,000 of water, and so on. Western Oklahoma is about the same, and the waters are far more heavily charged with salt than these waters which we are pumping and delivering to the lands of the Pima Indians.

In this report of Mr. Lee's (Water Supply Paper 104, p. 58) he gives for one year previous to the development of our plan the amount of salts in the Gila River water varying from 39 parts per 100,000 in time of flood to a marked salinity of 120 parts per 100,000 in time of low water. But he also calls attention, on pages 61 and 62, to the fact that in Arizona waters as saline as those of the Gila River are successfully used; the Collins well near Phoenix with 150 parts per 100,000 having been used for several years; in the botanical garden, also near Phoenix, they have used water for five years containing 223 parts of salt per 100,000, and the courthouse yard at Phoenix, in which trees, shrubs, and flowers grow luxuriantly, has been watered for about 20 years with well water containing 136 parts of salts. The Indians use water from Salt River that contains 200 parts of salts to 100,000 of water.

While those waters are not what we would call good, and while we would like to get as pure water as we can, yet it must not be assumed that we should condemn them. In making the plans for the pumping plant, already built and being operated, all these things were considered. At the same time these drawbacks were considered

in the plan for a general storage reservoir on the upper river at the time when there was the probability of obtaining an appropriation from Congress to build San Carlos Reservoir.

Mr. FERRIS. Before you pass to that I would like to ask what do the solids in the water do; do they injure the land and plant life?

Mr. NEWELL. The saline matter may do permanent injury to the land and to the plants if it is allowed to accumulate. An experienced irrigator may use a relatively alkaline water, if it is applied in small quantities continuously, and not injure the land. If improperly applied, as the water evaporates the salt accumulates at the surface and impregnates the soil so that ordinary plants will not live; but with care and skill it is possible to remove an excess of salt from the soil by washing from time to time. It is one of the inseparable disadvantages and difficulties of irrigation that under careless treatment almost any soil will become alkali-ed or "sick"; but almost any soil can be improved under proper treatment. The risks taken in that respect are the ordinary risks of life, such as occur in every occupation. There are risks in agriculture under irrigation, especially in the more arid parts of the country, where we run the risk of ruining the soil by applying alkaline water carelessly. These wells which have been put down on the Gila Indian Reservation have been pumped for 10 or 15 years, supplying water for the Indians without the addition of any river water, and the land there is reported to be in as good condition as it was originally.

The scheme of water supply which is being developed is to take the cheap electric power created at Roosevelt Dam, bring it under high voltage to the wells on and near the Indian reservation, transform it to a low voltage, and pump these wells, using the underground water in connection with the gravity supply; in one case from Salt River and in other cases on the Gila River Indian Reservation from the Gila River. We have constructed a head gate on Gila River, with sill below the level of the bottom of the river, placed in such a way as to take out the flood flow of the Gila into a large flood canal, which can cover 10,000 acres between it and the stream. Paralleling that in a general way is a smaller canal, along which have been placed these 10 wells. When the river is in flood the relatively pure water can be turned out over the land, with adequate drains to carry off the excess water and thus wash out some of the alkali. This system is supplemented, as the river goes down, by pumping ground water from these wells. We believe that is the best way to handle the situation.

When these wells were under construction and the water was first pumped from them, the Indians voluntarily built small laterals and used the water to raise small crops. There arose some agitation, as stated before, with regard to their water rights, and a feeling grew up that if they were allowed to use this underground water or did use it, that somehow or other they might lose their rights to the river water.

Mr. BURKE. So they were afraid to use the pumped water and afraid to use the river water? And they had heard of the question of salinity and alkalinity, and thought that the water would ruin the soil?

Mr. NEWELL. No doubt either water will do so if badly handled. The same thing is likely to happen almost anywhere in the arid

regions. As I have stated before, the waters as a whole are no worse than are being used successfully elsewhere.

Mr. BURKE. Is this land capable of being drained—the lower bodies of land below—so the water can run to follow the ditches off the Indians' lands and thus drain them?

Mr. NEWELL. Yes. Drain ditches should be dug through the irrigated land on all these tracts in order to waste excess water and wash the soil, but the Indians have protested against anything further being done, and at times have become much excited about it, because they do not want further developments along this line.

Mr. BURKE. I take it you have been personally familiar with this situation for some years and visited the country there, so you have personally observed these conditions?

Mr. NEWELL. Yes, sir; I have visited the reservation and have been up and down the river at intervals during about 20 years.

Mr. BURKE. To what extent are these Indians actually farming?

Mr. NEWELL. It is difficult to find out definitely. We have had to depend a good deal upon tradition as to how much has been irrigated in past times. It is generally believed they have raised a considerable amount of wheat, and by the traces of ditches which we can find up and down the valley it is evident that the land has been cultivated to a considerable extent at some previous time. My belief is that they have cultivated portions of the valley in succession, until the land in each spot had become so alkaline that it would yield little, and then they moved the cultivation to some other place.

Mr. BURKE. Then from that I understand that in the kind of irrigation they carried on before they were deprived of the water that they had this same trouble as from the water of the wells?

Mr. NEWELL. They have never been wholly deprived of the water, but undoubtedly have less now than formerly.

Mr. BURKE. I take it from what you said that they found this trouble there many years ago?

Mr. NEWELL. There were lands all along the river which may have become alkaline from the overflow; in fact, this entire country is impregnated, in spots, with alkaline deposits.

The CHAIRMAN. The farther down the river you go, the worse the alkaline condition becomes?

Mr. NEWELL. In general yes; but it depends on the local conditions.

Mr. BURKE. What is the difference in the alkaline character of the water from the wells and the water from the stream?

Mr. NEWELL. It is practically the same water, but more alkaline in the wells. While the water in the stream may vary from day to day the water in the wells remains at about the average of the ground water of the entire country.

Mr. BURKE. And yet the Indians are now refusing to use it because of its alkaline character?

Mr. NEWELL. That is the excuse, but at the same time some of them are urging us to extend the power line over to the wells on the south side of the river. We have already carried the wires to the Indian school and are pumping the wells there by electric power.

Mr. BURKE. At the school, what do you find the condition of the water, relative to salts and alkalinity?

Mr. NEWELL. About the same as the wells on the north side.

Mr. BURKE. Then, the whole valley is about the same?

Mr. NEWELL. There are some wells 15 or 20 miles away which are much more alkaline, as shown by the report of Mr. Willis T. Lee in 1904.

Mr. BURKE. Worse than those you have been speaking about?

Mr. NEWELL. Yes, sir; and some of them have been abandoned because of their extreme alkalinity and others because the cost of pumping the wells has been too high, especially where a man has installed a steam-power plant and has to haul in coal from the railroad. Some owners have abandoned their steam machinery. Those same wells are being taken now and pumped by throwing aside the steam engine and boiler and putting in an electric motor. They are thus operated successfully.

Mr. BURKE. What is the depth of those wells down to the lowest point?

Mr. NEWELL. Some of them go down two or three hundred feet. In some localities the ground water occurs at a very short distance down. We can select the depth according to where the best water is found.

Mr. BURKE. You could then, by packing back, confine yourself to the surface water or go down just to the pure water and use that?

Mr. NEWELL. We could select the water at any point in a well. The wells are drilled and cased in such a way that this may be done. We have arrangements for shutting off the poorer waters and getting the better.

I feel very strongly the importance of carrying on this work, not merely because there is an investment of \$500,000 in these wells and machinery, but also because it has been made in strict accordance with the understanding with Congress when it made the appropriations for the wells. Some misguided men have been attempting to discredit the well water and are trying to force the Government to return to the proposition of building a storage reservoir farther up Gila River for the assumed benefit of these Indians.

Mr. BURKE. Would there be anything to prevent the Agricultural Department from putting in some sort of experiment station out there at some point where they could use this water from the wells for two or three years and see what the effect would be on certain crops?

Mr. NEWELL. No; agents of the Department of Agriculture have already been using that water on the south side for several years, and have been successful, particularly with cotton. I have been assured that the profits of some of the Indians were far larger than I stated this morning, in some cases as high as \$80 an acre from cotton.

Mr. BURKE. How much do they raise from an acre?

Mr. HILL. They have raised better than half a bale, a special kind of Egyptian cotton, for which they have gotten as high as 21 cents a pound; it is a much finer and better grade than the ordinary cotton.

The CHAIRMAN. What have been their results in raising fruits?

Mr. HILL. There is only a very little bit of land on which they can raise any fruit; the flow of the Gila River is so irregular that you can not safely plant fruit trees unless you have wells as a supplemental permanent source of supply of water. Some trees are planted on the reservation near the pumping plant, which have done very well.

The CHAIRMAN. How about alfalfa?

Mr. HILL. I do not think that crop is ever injured; the supply and character of the water seems to be sufficient for that.

The CHAIRMAN. That is the main crop of that country?

Mr. HILL. Yes, sir.

The CHAIRMAN. Have you anything further to say, Mr. Newell?

Mr. NEWELL. I wish to emphasize the fact that under the appropriation, which was limited to \$540,000 by act of March 3, 1905 (33 Stat., 1081, sec. 10), the work has been brought to this degree of completion, such that the wells can be utilized, and where it now rests on the willingness and energy of the men who are to use the water as to whether it will be a success or not. In this work we have cooperated with Mr. W. H. Code, formerly chief engineer for the Indian service, who is, I believe, one of the best informed engineers in the country regarding these matters, a man I have known well and favorably for upwards of 20 years.

The CHAIRMAN. When you were in Arizona, did you examine the San Carlos Dam site?

Mr. NEWELL. Yes; I have been there several times.

The CHAIRMAN. How far above the reservation is the point?

Mr. NEWELL. Roughly, I should say it was about 100 miles.

The CHAIRMAN. Would it be possible to put in a dam there similar to the Roosevelt Dam?

Mr. NEWELL. Yes, sir.

The CHAIRMAN. What amount of money would be necessary to build such a dam on the San Carlos site as would be required to furnish these Indians with water, and to the intervening white settlements?

Mr. NEWELL. Roughly, I should say between three and four million dollars, the size of the dam being limited by the quantity of water in the river. As you are probably aware, there is a controversy now before the department between the Southern Pacific Railroad and those who would like to obtain the right to build a dam there for irrigation purposes. It is physically feasible to build a dam there, but we have, in several instances, so far as the Reclamation Service is concerned, said it would not be a wise investment.

The CHAIRMAN. Have you made a report since you have been at the head of the Reclamation Service in regard to a dam at the San Carlos site?

Mr. NEWELL. Yes; while I was chief engineer a report was made on special request, in which our board of engineers stated it would not be a wise investment of reclamation funds. The favorable or unfavorable character of a report in such a matter is governed by the question as to how you are going to get your money back. The question of getting the money back on this proposition was doubtful, as I recall it, but the points on which it was condemned by the last board were, first, the fact the size of the reservoir was limited; the amount of silt would soon fill it. If it fills in 20 years, you have to consider a depreciation of 5 per cent on the net investment, and also on all other property dependent upon it. There is also ever present the question of the quantity of water which might be held. When you put water in a reservoir it may have a low percentage of alkalinity, but after evaporation the percentage of salts may increase to such an extent that when it is ultimately delivered to the land it may

be no better as to alkalinity than the supply we are now providing by wells.

The CHAIRMAN. When this water leaves the mountains it is practically pure, is it not?

Mr. NEWELL. Not necessarily. In the case of the Salt River, the salt springs are near the head.

The CHAIRMAN. How about the river water at the San Carlos Dam site? Would it be as bad as it is where you are building the wells?

Mr. NEWELL. The river water is better up at San Carlos than down in the lower valley. After leaving the mountains it passes through broad valleys and collects a good deal of alkali.

The CHAIRMAN. With reference to the railroad passing through this same gap, is it not a fact that if a low dam be built there the silt will soon fill it up and practically destroy the usefulness of the dam and reservoir?

Mr. NEWELL. A low dam is useless. A dam should be as high as the quantity of water you will be likely to get will justify.

The CHAIRMAN. How long a dam would you have to have at San Carlos?

Mr. NEWELL. The length of the top, I think, would be about 600 feet.

The CHAIRMAN. Do you know anything about the foundation you would find there?

Mr. NEWELL. We have bored for a foundation, and the depth of the rock is 60 to 70 feet.

The CHAIRMAN. How long would the dam have to be at the bottom?

Mr. NEWELL. Less than 100 feet at rim level.

The CHAIRMAN. How high would the dam have to be built?

Mr. NEWELL. To the height of, say, 250 feet at least.

The CHAIRMAN. What would be the cost of building that dam, relative to the cost of the Roosevelt Dam?

Mr. NEWELL. Probably two-thirds of the cost of the Roosevelt Dam. It might be as much, depending on the condition of the rock. The dam alone cost about three and a half million.

The CHAIRMAN. Then you think it probable that this dam could be built for two million?

Mr. NEWELL. I would not put the probable cost at much less than three millions if that figure was to include the expenses of rights of way, etc. The railroad in the San Carlos Valley must be moved; and when you come to that you will be running into money pretty heavily.

The CHAIRMAN. Would five hundred thousand move the railroad?

Mr. NEWELL. Yes, sir; I think so.

The CHAIRMAN. Is the right of way of the railroad secured?

Mr. NEWELL. Oh, yes; it has been in operation for 20 years.

The CHAIRMAN. How many miles of the road would be interfered with?

Mr. NEWELL. About 10 miles; the road would have to be relocated.

The CHAIRMAN. Another consideration enters into this matter. Will not a good many Indians be flooded above this dam?

Mr. NEWELL. That has been one of the objections to the San Carlos Dam, namely, that it would flood most of the agricultural country of the San Carlos Indians.

The CHAIRMAN. Has there been any protest by the San Carlos Indians against the building of this dam?

Mr. NEWELL. Yes, sir.

Mr. MERITT. We have received a protest from those Indians.

The CHAIRMAN. If you are benefiting one you are injuring another.

Mr. NEWELL. Unless we make compensation to them in kind in providing ditches for their lands in some other locality.

The CHAIRMAN. No part of their lands could be supplied with water from the San Carlos Reservoir?

Mr. NEWELL. No; it is at the lower end of their reservation, and they must be supplied with water, if at all, from up the river.

The CHAIRMAN. I think that is all.

Mr. NEWELL. I would like to have you call on Mr. Louis C. Hill, Mr. Chairman, who can support me in what I have said about these matters, as he is the supervising engineer for the Reclamation Service in Arizona and adjacent areas.

The CHAIRMAN. Would you have any statement to make, Mr. Hill, relative to these matters? You have heard Mr. Newell's statement; would you care to add anything to that?

Mr. HILL. Yes, sir. Mr. Newell's statements, so far as I heard them, were in exact accord with the facts, as near as one could state them. North of this series of wells on the Gila River Indian Reservation are four sets of wells in operation to-day, and have been for 10 years or more. There are also some others that have not been in operation long enough to enable us to say, from practical experience, whether the salts in the waters were injuring the land or not. But these four wells contain considerable more alkali and salt than do the wells on the Indian reservation. They have been used to supply water for alfalfa land during the entire time and part of the time were practically the only source that they had. That land is now being cut up and they are selling it, nearly all of it, for \$150 an acre, so that is pretty fair evidence that with reasonable care and use of the water of that kind the land will not be seriously affected.

The CHAIRMAN. And this land that you speak of is above the Indians?

Mr. HILL. Six or seven miles. Up above the Indian agency there is quite a large tract of land very alkaline; I don't know what originally caused it, but it has very large deposits of salts.

The CHAIRMAN. What is that due to; why it is?

Mr. HILL. They call it black alkali; it is really a white salt that settles there; but it makes the ground look black.

The depth of the water in the wells on the Indian reservation available for pumping runs from 25 to 35 feet; it varies wherever the wells are, and with the low price of electric current the Indians will be called upon to pay they will be able to pump the water over their lands at a very cheap price.

The CHAIRMAN. How much would you say?

Mr. HILL. The present cost is nearly constant at \$0.007 per kilowatt hour, depending, however, upon the amount of water delivered. The total cost is about 50 cents an acre-foot; or, if they use 4 acre-feet, which is the maximum furnished the white people, it would cost the Pima Indians \$2 per acre for the electric current at the present time.

To the southeast of this reservation and next to it there has recently been purchased a considerable tract of land by some California capitalists; they desire to buy electric current from the Reclamation Service to pump water on that land. Because they are further from the river they will have to pay  $1\frac{1}{2}$  cents per kilowatt hour—twice as much as the Indians pay to-day, and three or more times as much as they must pay later. This same company has some land about 15 miles northwest of Phoenix, and has entered into a contract to get power from the Reclamation Service at  $1\frac{1}{4}$  cents, and to practically build its own line. I am only quoting this to show that the white people consider that pumping this water is an economical, business-like proposition, namely, to use electric power for pumping water over their lands, even at a much higher rate than the Indians are paying or will be called upon to pay.

The CHAIRMAN. At that price, what would it cost the white settlers per acre?

Mr. HILL. The white settlers are using considerable pains to distribute the water properly, and they will probably line their canals; but it will cost them \$5, \$6, or \$7 an acre to get the water over their lands. This cost of pumped water does not include the delivering of it to the Indians; we have to deliver it to each white man at additional cost to him; this only delivers the water in the canals and the Indians distribute it themselves.

The CHAIRMAN. They understand thoroughly the system of irrigation?

Mr. HILL. As has already been stated here, they have irrigated for a great many years, and in some ways their methods are just as good as those used by the white people. None of these methods, however, compare with the methods used in California, or where water is scarce. The Indians have no drainage system, and if the land gets alkali they abandon it and go to another place. These Indians often move on this account and whole villages have moved from place to place for the same reason.

The CHAIRMAN. Then, after all this testimony here, it is an unknown fact whether the water you are pumping from these wells will produce good crops, and we will not know that until actual experiment has made it self-evident?

Mr. HILL. There is no way that anyone can guarantee any such thing as that. I have been talking to all the men who have been making a business of this thing, and I think this broad statement will cover the question: That the purest water you can get in any western country improperly used and without any drainage will finally, after many years, accumulate so much alkali as to ruin it, but that the same water, with proper use, can be used to reclaim land that is very alkaline. That is in accordance with experience in Egypt and Arabia and in different parts of the United States.

The CHAIRMAN. It all depends on the methods used in the cultivation?

Mr. HILL. Yes, sir; without proper drainage you can put water on land and let it continually evaporate and the soil will be ruined; but with the same water properly controlled you can get most excellent results.



The CHAIRMAN. Now, would these wells be lost by waiting a year or two, or three or four years if necessary, to ascertain whether or not this water is capable of producing good crops?

Mr. HILL. The ditches would have to be taken care of, but aside from that there would be no serious deterioration in the machinery. I do not believe there would be any conclusive determination as to whether the water were good or bad by putting a farm in there and operating it, unless carried on for many years. Whether or not that would affect the Indians there at the present time, I do not know. Mr. Valentine could probably tell you how that would affect them.

The CHAIRMAN. That would start a controversy between us and the parties who are opposing and those who are in favor of this work.

Mr. HILL. This agitation has only begun in the last year and a half. The Indians themselves dug small ditches to our pumping plant and utilized that water to raise crops, for the simple reason that there was not much water in the river, and the only crops that matured were raised with this water. But since then they have decided that they would not, for their own reasons, use the water.

Mr. FERRIS. I would make the observation that I had rather hoped that engineering science in connection with irrigation business had accomplished a little more than you have indicated.

Mr. HILL. I said that same thing to the Agricultural Department and found that they did not agree. I have heard the statement that water after it reached 100 parts of salt to 100,000, that then it became a question as to whether it would injure the land or not; I also have a letter from the Agriculture Department of New Mexico, in which they give instances of using very much stronger water than that and find it absolutely safe.

Mr. FERRIS. Then you can get about any kind of opinion you want?

Mr. HILL. Yes, sir; and since I have been in Washington I have been talking to about every man here who was supposed to know anything about this subject, and they all agree that waters containing a much higher percentage of salts than these we have been discussing, if properly handled on land that is reasonably easy to drain, could be utilized with very beneficial effects, but that you could also ruin the same land if the water was not properly used.

Mr. FERRIS. There is no fixed rule, then, as to when you can or can not use these waters?

Mr. HILL. I could quote you from a paper here, it is Circular No. 3, Department of Agriculture, Division of Soils, published in 1898. This is on the Pecos River, starting at Roswell, N. Mex., where the water contains on an average 75 parts of soluble matter per 100,000; this is on the east side of the river. The waters of the Berenda Springs, just across the river, which come from the great gypsum plans, extending north along the Pecos, are not so good, as they contain 250 parts of soluble matter per 100,000, of which about one-half is likely to accumulate in solution upon evaporation of the water. The lands to which Berenda water is applied all lie close to the stream banks and have good underdrainage, so that no damage has resulted from the use of this saline water. Now, down below at Carlsbad, N. Mex., the percentage runs much higher, about twice

as high, the condition of the water varying from 200 parts per 100,000 to 500 parts per 100,000.

So opinions vary and facts vary.

Mr. BURKE. How long, Mr. Hill, have you been familiar with the locality where this project is located?

Mr. HILL. About eight years.

Mr. BURKE. What has been your relation to this project?

Mr. HILL. Since about 1905, or after the work was originally investigated by the Indian service, and they decided to build it, I was more or less connected with it before that, because they planned to go up the Salt River and develop power to be transmitted for the same purpose. I have been there since as often as once in two or three weeks during recent years.

Mr. BURKE. Can you state what, in your opinion, is the difficulty there at the present time, so far as the Indians are concerned? You must have an opinion about that.

Mr. HILL. I should say their present feeling was due to the agitation of the whites to get possession of the San Carlos Reservoir, and to obtain the help of the Indians money in building. I do not know, of course, but that is my opinion.

Mr. BURKE. Wherein would they accomplish anything if that was the difficulty and this project were abandoned?

Mr. HILL. The agitation by the Indians at the present time is that the reservoir should be built, and that the water from it should be delivered to them. But, of course, that means that the United States Government would have to pay its proportionate share toward the building of this reservoir. There is now a dispute between the railroad and the people of the neighborhood as to who would get possession of it.

Mr. BURKE. Is it your opinion that their grievance is a real one or an imaginary one?

Mr. HILL. What is the grievance you refer to?

Mr. BURKE. I understand they are dissatisfied with the proposition; and, in your opinion, is that a real grievance or an imaginary one?

Mr. HILL. I think so far as their objection to the plans, fearing that the whites will get possession of the reservoir, is an imaginary grievance. I think that, originally, the Government, holding their affairs in trust, was remiss in not looking after their water rights 30 or more years ago when these white people settled above there about 150 miles, in good faith, unquestionably.

Mr. BURKE. Was this project undertaken six or seven years ago, to try and remedy the conditions that the Government was responsible for?

Mr. HILL. Yes, sir.

Mr. BURKE. This project is now practically completed?

Mr. HILL. The unit on the north side is practically done, excepting the distributing system. Nothing has been done on the south side.

Mr. BURKE. And could not be, without the authority of Congress?

Mr. HILL. No, sir.

Mr. BURKE. And the appropriation now is for support, or maintenance.

Mr. HILL. There is a small amount of work left to be done on the north side; two wells are to be finished.

Mr. BURKE. But there is probably money available to do that work?

Mr. HILL. Yes, sir; I think there is.

Mr. BURKE. Then it is merely an appropriation now for operating and maintenance?

Mr. HILL. I suppose so; but I don't know about that, as I have not seen the bill under consideration.

Mr. BURKE. Assuming that the project is completed, I would like to ask who will operate it and expend the appropriations that may be made from time to time—the Reclamation Service or the Indian Office?

Mr. HILL. I suppose the Indian Office.

Mr. BURKE. When you have finished the construction, you will withdraw?

Mr. HILL. I suppose so; yes, sir.

The CHAIRMAN. Suppose we stopped right here with this finished unit, would these wells be turned over to the Indian Office?

Mr. HILL. I believe so.

Mr. VALENTINE. I would like to say, Mr. Chairman, in connection with the San Carlos Indians, that I do not think the fact that some of them would have to move out of the reservoir site should have controlling weight in any decision as to this project, in any final decision as to the erection of the San Carlos Dam. I simply want to put the office on record on that point, because they have been doing very well and raising good crops; and some time, while we are on this irrigation matter, I should like to put before the committee certain propositions in regard to the beneficial use of water by these Indians generally; it doesn't make any difference whether it is this afternoon, or not.

The CHAIRMAN. We will hear it now.

Mr. VALENTINE. It is simply this: That in the country at large, of course, the right of the white man to water is dependent on the beneficial use to which he puts it; he has not the right to retain water, beyond a certain length of time, without so putting it to use. I do not think, however, that the Indians should be subject to the same limitations, for the reason that they have now put under ditch nearly 360,000 acres of Indian land, and they are at the present time using less than half of that. It may be, in some cases, as at the Uinta Reservation in Utah, or on the Shoshone Reservation, it may be a decade before the Indians will be educated in the industrial nature of our work up to the point where they can hope to make full use of the water, and if on the Pima Reservation such an unfortunate condition should arise as on those two, the Indians would be in very great danger of having built a large project at their own expense—the funds appropriated by the Government being reimbursable—and then because they did not, or could not, make full use of the water they would lose their water rights. That is a point that I feel should be before the committee in connection with this irrigation project, and particularly in connection with the opening of any future reservation.

Mr. Meritt has studied this whole matter pretty thoroughly, and he would like to make a statement.

The CHAIRMAN. All right, Mr. Meritt.

Mr. MERITT. I have given the matter of the water rights of the Pima Indians considerable thought recently, and I have reached the conclusion that those Indians have been deprived of valuable water rights to which they are entitled and which should be recovered for them, or else other water should be furnished them.

The Pima Indians irrigated lands in Arizona long before white people went to that country. At one time as much as 25,000 acres was being irrigated by the Pima Indians. The white people who settled above the reservation, on the Gila River, have gradually acquired the use of water of that river until now the Pima Indians are deprived of all the low-water flow of the river. The Government is now attempting to substitute for this low-water flow the underground water developed by means of wells by the Reclamation Service. This water is unsatisfactory to the Indians. It has not, in my judgment, been given a sufficient test to determine whether it will ultimately prove to be the water they need. From my study of the question I am convinced that this well water must eventually be supplemented by the silt-laden water of the Gila River. It seems to me that it is unjust to require the Pima Indians to pay for the development of underground water when they are already entitled to sufficient water out of the Gila River to irrigate their lands, they having formerly irrigated as much as 25,000 acres.

The CHAIRMAN. Up to that amount they would still have the right to water from the river to irrigate 25,000 acres.

Mr. MERITT. Now, if the Government can furnish them water from the Gila River by constructing the San Carlos Reservoir, I think that that should be done. The San Carlos Reservoir site was, I believe, discovered by a Mr. Lippincott, who reported that it was one of the most wonderful reservoir sites ever discovered in the United States. Mr. Schuyler, one of the leading engineers of the United States, a man considered to be well up in his profession, says that the San Carlos site is worth to the people of Arizona from eight to fifteen million dollars. Mr. Quinton, another very able engineer, and, by the way, consulting engineer sometimes in connection with the Reclamation Service, says that that reservoir site is worth to the people of Arizona not less than \$22,000,000.

Now, it seems to me that between the granting of an application for a railroad right of way and the construction of this project for the benefit of these Indians, and the people of Arizona living below the reservoir site, there should not be any question. It may be necessary for the railroad to expend \$2,000,000 to build its high line right of way rather than a low line right of way, but, in my judgment, there should be no question about conserving the San Carlos Reservoir site. It is only a question of time when the land below that reservoir site will be worth from one to five hundred dollars an acre if you can get water on the land. It is said that it is some of the richest land in the United States, provided you have water for it.

The question of the San Carlos Indians should not, in my judgment, be a controlling factor in this case. They occupy and farm a very small acreage at this time.

The CHAIRMAN. Could you give us the approximate amount?

Mr. MERITT. I should say it was less than 500 acres. They could occupy lands on other portions of their own reservation. I would

say that if the Government is not disposed to construct the San Carlos Reservoir now, it should be conserved so that the people in the future may get the benefit of this wonderful reservoir site, and the Pima Indians may get the water to which they are entitled and the white settlers may get the water to which they are entitled. I very recently heard that noted lawyer, Mr. Heney, of California, say that this land below the reservoir site compares in fertility with the lands of the Nile. It is wonderful land if you can get water on it.

The CHAIRMAN. There is no other chance of getting water otherwise than by impounding it on the San Carlos site?

Mr. MERITT. No; the people who have taken the water out of the river are principally above the San Carlos site.

The CHAIRMAN. But isn't there quite a stretch of country between them and the dam site?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Now, what have you to say with reference to that piece of railroad? Ten miles, I believe, is the estimate we have had, that would be covered.

Mr. MERITT. If the dam is constructed, of course it will be necessary to raise the level of this road that is there now, occupying a right of way in that country. But it is believed that this can be done at a reasonable cost, and that after they are up on their high-line right of way the railroad will have a better road than they have now.

Mr. BURKE. You would not expect them to raise the road at their own expense?

Mr. MERITT. No, sir.

Mr. BURKE. How much would it cost to raise the railroad and settle the damages that would arise as a result of the construction of this dam, including the cost of the dam?

Mr. MERITT. It is said that this dam can be constructed for about \$3,000,000.

Mr. BURKE. That is for the construction of the dam.

Mr. MERITT. I understand that would include all the expenses.

Mr. BURKE. How much land would be susceptible of irrigation, if such a reservoir is constructed, as you have described?

Mr. MERITT. There is a good deal more land there for irrigation than there is water with which to irrigate it.

Mr. BURKE. How much could be irrigated?

Mr. MERITT. About 80,000 acres from this reservoir. The silt problem in connection with this reservoir has been one of the things that has condemned it in the eyes of some people; but Mr. Quinton, who is associated with Mr. Code, formerly in the Indian service, says that the silt problem can be handled, and claims that he has a plan by which the silt can be disposed of.

Mr. Chairman, your attention is invited to the statement of James D. Schuyler, an irrigation engineer of international reputation, under date of February 28, 1910, in a brief filed in the Indian Office on the San Carlos controversy, in which he said:

The prodigal waste of natural resources implied in the proposition to abandon this reservoir site is so contrary to the conservation policy which is the present watchword of the Nation that it should not be entertained for a moment. The San Carlos dam site is the best on the Gila River, one of the largest and most important streams of the West, and is the only dam site with a capacious reservoir basin and extensive watershed area tributary to and above it.

John H. Quinton, one of the best-known irrigation engineers in the United States, reporting upon the San Carlos irrigation project in a brief recently filed in the Indian Office, used the following language:

Considering the unusual fertility of the silty soil of the Gila Valley, its constant renewal by fresh silt and the wonderful range of products in this climate, it is certainly conservative to say that with an assured water supply, such as might be had with the San Carlos Reservoir storage, the settlement of the land under this project would add twenty-two and one-half million dollars to the wealth of the Territory.

The CHAIRMAN. I would like to ask Mr. Hill a question with reference to the silt. How long do you estimate it would take the low-line dam to fill up with silt?

Mr. HILL. The flow of the Gila River is very irregular, but if the lowest dam they have talked about were to be built I believe it would take about 20 years to make it useless, as far as the reservoir is concerned. But we have always advocated, if the reservoir is to be built at all, that the dam should be built as high as possible, and that the railroad should be put up on the highest contours.

The CHAIRMAN. There is no known way among engineers to let the silt escape under the dam?

Mr. HILL. The trouble with dams in locations like this is that they back the water up for so many miles—10, 15, or more miles, and it stands there and settles. A river flowing along can not carry with it but about 10 per cent of the silt, and usually it won't carry but 5 or 6 per cent. So when you let that silt accumulate in the reservoir for 5 or 10 years you would have to run the whole year's flow out of the reservoir in order to get it out, and the people would be without water for a year, as this river does not run all the year. Mr. John H. Quinton's idea was to run some pipes out into the reservoir and try to agitate the mud and pull it out as by a siphon.

The CHAIRMAN. Would it be feasible to dredge the bottom?

Mr. HILL. Oh, no; the cost of that is out of the question. The only way the Reclamation Service believes in, and which is the cheapest way, is to so locate our dams that we can build them higher and higher, and in that way take care of the silt by providing larger storage on top.

The CHAIRMAN. What would be the effect of building small dams?

Mr. HILL. There are places where they can be built advantageously.

The CHAIRMAN. Would they be filled up with silt, too?

Mr. HILL. Oh, yes, sir.

The CHAIRMAN. Which would be the most successful?

Mr. HILL. It would depend in every case on local conditions. It is usually better to build one big dam. In this case of the San Carlos site I believe the railroad should be put up as high as possible, and the dam constructed so as to take care of the silt proposition.

The CHAIRMAN. You are acquainted with the country out there?

Mr. HILL. Yes, sir.

The CHAIRMAN. And there is no way in which the railroad could escape than by going through this pass?

Mr. HILL. No; the railroad runs up the canyon of the Gila River now.

Mr. BURKE. Mr. Meritt made a very interesting statement awhile ago, and I would like to ask you gentlemen, Mr. Newell and Mr. Hill, if, as engineers, you were interested in that statement?

Mr. NEWELL. I would just like to say, Mr. Chairman, that the examination of this site by Mr. Lippincott was made about 10 years ago; and as for myself, I may say that in the last 10 years I have passed from a condition of theory regarding estimates for work of the kind we have been discussing. A few years ago we made estimates and figured as well as we could on the cost of projects, but I wouldn't give a rice straw for many of them now. So that I have listened with a little impatience to quotations of estimates from examinations made 10 years or less ago, as they show nothing more than what we thought then.

There is another point that has occurred to me in this discussion, and that is if the people of the Solomonsville Valley should conclude to build a smaller reservoir—say, at the San Francisco site—there would be not enough water left to render the San Carlos proposition desirable or wholly feasible. But if the people on the main Gila River succeed in establishing in the courts their rights to the water down on the lower river, that would render the San Carlos proposition still more doubtful.

Mr. BURKE. In the figures that you gave as to the probable cost of this dam—about three million dollars—did you take into consideration the other charges there would be by reason of damages?

Mr. NEWELL. I tried to. Of course it is merely a rough guess.

The CHAIRMAN. Where is this site that you mentioned, with relation to the Pima Reservation?

Mr. NEWELL. About 50 miles below the reservation.

The CHAIRMAN. How could that benefit the Indians above?

Mr. NEWELL. It would absolutely deprive them of any rights that they might have to the water, assuming that, under the Arizona courts and the Federal courts, beneficial use of the water controls the use of the water supplied; the man or body of men building reservoirs are likely to get the first claim to it in law. So I brought this thought in, because we are apt to think of the San Carlos site as the only controlling feature on the river.

The CHAIRMAN. Doesn't your argument lead to the fact that we ought to build a dam at the San Carlos site?

Mr. NEWELL. If you are going to preserve the rights to that water there, yes. The only way to secure a sure water supply for the Gila River Indians is for them to have a water-supply system of their own on the reservation, of which they could not be deprived. That would be a controlling feature that they could hold by the physical possession of the lands themselves.

The CHAIRMAN. Would it be feasible to build the San Carlos Reservoir and have a ditch directly to the Indians' lands, giving them the right to use so much water, and to line that ditch so that the water would not percolate and be lost?

Mr. NEWELL. It would be possible from an engineering standpoint, but the cost would be prohibitive. Assuming that the Indians would irrigate 20,000 acres of land, a pumping plant would be much cheaper per acreage cost; and if they only irrigated two or three thousand acres the cost need not increase proportionately, as it is easy to pump

water only to the lands to be irrigated. We find that the cost of pumped water will generally be far less under these circumstances where only a part of the lands may be used.

The CHAIRMAN. Have you estimated how much it would cost to line a ditch with cement so that the water would flow a great distance without loss?

Mr. NEWELL. Yes, sir; cement-lined ditches will cost from two to three thousand dollars a mile and upward. The cost for a very large ditch running for 20 or 30 miles would be a very large amount, probably running into the hundreds of thousands.

The CHAIRMAN. Is there anything else?

Mr. MERITT. I would like to say, Mr. Chairman, that the figures I quoted a while ago are not from statements made by Messrs. Quinton and Schuyler 10 years ago, but are from statements filed by them recently in connection with the controversy between the railroad and the people, who want to conserve the San Carlos Reservation site.

The CHAIRMAN. As proving your statement, you desire to—

Mr. MERITT. I simply wanted to state that Mr. Quinton and Mr. Schuyler have said very recently that this reservoir site is worth to the people of Arizona between fifteen and twenty-two millions of dollars.

There is one other thought in connection with this matter that I would like to mention: The Supreme Court has held, in the Winters case (207 U. S., 564), that the Indians are not required to make what is known as beneficial use of the water in order to conserve it, but that where a reservation is set aside for the Indians enough water is reserved to irrigate the lands of that reservation for the benefit of the Indians. That was held, not only in the Winters case, but in the Conrad Investment case (161 Fed. Rep., 829). Therefore, if this matter is taken into court and the decision is rendered in accordance with the decisions of the circuit court and United States Supreme Court referred to, the Pima Indians would recover their water rights.

Mr. NEWELL. I am not a lawyer, Mr. Chairman, but I know that some lawyers have held that that Winters case was based upon the verbiage of a particular treaty. We have always contended against the idea that the Indian or the white man can hold water indefinitely unless it was in beneficial use. I do not like to appear to controvert anything Mr. Meritt has said, but there are honest differences of opinion here.

The CHAIRMAN. The next item is a supplemental item, as follows:

For beginning the enlargement of irrigation system and the construction of a dike for the protection of Indian lands for the Papago Indian Reservation, Arizona, against semiannual floods, the total cost of the work not to exceed one hundred and thirty thousand dollars, to be immediately available. (Act Mar. 3, 1911, vol. 36, p. 1069, sec. 1.)

Mr. VALENTINE. I submit the following in justification, Mr. Chairman:

NOTE.—A wash has been eroded up the valley a distance of some 18 miles in the past 13 years, and is threatening the destruction of their lands by erosion due to the semiannual floods of the Santa Cruz River. To protect these lands from erosion will necessitate the construction of a dike crossing the valley, and the diversion of the flood water to a rocky point where its force will be expended on the rocks and cause no damage.



Approximately 1,200 acres are now under cultivation, but the present supply of water is sufficient to irrigate properly only about 300 acres. The irrigable area on this reservation is close to 8,000 acres.

A syndicate is buying up and securing options on all the irrigable lands below the reservation for a distance of some 13 miles, and it is their intention to settle this land with white settlers. The only available practicable water supply lies within the reservation. The development of these waters should be done by the Government, for the Indians, and if it is found that there are surplus waters, the same may be sold to the white users below the reservation and the receipts therefor applied to the partial reimbursement of the appropriation.

The trust patents for these Indians will expire within 5 years, and without irrigation the land is not worth more than \$25 an acre, while with water for irrigation it is probably worth \$400 an acre.

The underground waters of the reservation are backed up by a volcanic dike extending across the Santa Clara Valley and appear at two places in the form of springs from which the Indians get their present water supply for irrigation. Last year it was necessary to do 1,020 days of labor in cleaning this ditch of sand and debris washed in by the floods, and the same amount of labor is necessary this year in order that the Indians may get water for the partial irrigation of their cultivated lands. The method of developing water proposed by Mr. Granville in his report of April 1, 1911, will develop sufficient water for 3,000 acres of land by the construction of 3 infiltration galleries, and the number of these galleries on the irrigable area may be increased at any time to irrigate additional lands.

Proposals have been made by private enterprise for the development of underground waters of the reservation, and it is claimed that water could be developed for the irrigation of the valley lying below the reservation and supplying the city of Tucson with water.

The development of water by the Government for the Indians on this reservation should be done before allowing the waters to be developed for other lands. If something is not done soon for these Indians, who are an agricultural tribe, the amount of damage caused by floods will amount to more than the cost of protection and irrigation. These Indians have no other means of support.

Mr. VALENTINE. Approximately 2,200 Indians.

The CHAIRMAN. This river heads down in Mexico, does it not?

Mr. VALENTINE. It heads away down there.

The CHAIRMAN. And sinks down there by Tucson?

Mr. VALENTINE. Not only sinks, but spreads as well as rises. And in crossing it, at the place I speak of, you go for several miles through what sometimes is its bed, and yet it is apparently just sagebrush country, so that it needs to be tamed.

The CHAIRMAN. What kind of a system is contemplated there, or have you any estimates?

Mr. VALENTINE. Mr. Holt can probably give you better details, Mr. Chairman.

Mr. HOLT. I have a map here which will show.

The CHAIRMAN. In the first instance, I would like to know about how much is contemplated to finish that? You say it is for the beginning of the enlargement of the irrigation system? How much will it take to finish it?

Mr. HOLT. \$130,000 is expected to finish it, and \$100,000 is supposed to be for carrying it on during the fiscal year. A limit of cost was fixed at \$130,000.

The CHAIRMAN. Has it contemplated using the water of the Santa Cruz River?

Mr. HOLT. This is the Santa Cruz River, when it is in its channel. Down here it spreads out, and when it is in flood it runs over the entire valley, and the idea is to construct a dike across the whole valley at this point [indicating] and carry the dike along the side of the valley down to a rocky butte, where the water can be dropped without

doing any damage to the soil—dropped in a rock cut and develop underground water by putting in filtration galleries at these points [indicating], and the water reaches the grade of the land at about a thousand feet below these galleries, where it can be spread out to irrigate this land that is cleared. Now they take water out of springs down in here [indicating] and irrigate 1,200 acres, but every flood that comes up carries these washes farther back, and they are traveling back at a rate a little greater than a mile a year. It is only a course of time before all the good land will be washed away, leaving ugly washes in its place.

The CHAIRMAN. Then you propose to confine it to the one channel?

Mr. HOLT. We propose to confine it to the one channel and keep it from hurting the land or destroying the ditches which they have constructed, or which we intend to construct, and also to protect the land from erosion.

The CHAIRMAN. Is it contemplated to make a reservoir to check the surplus and hold it?

Mr. HOLT. No surplus water is to be caught. There is a large underground flow, due to the fact that the river spreads out when it is in flood and covers the entire valley.

The CHAIRMAN. Have you tapped wells or reservoirs in this underground flow, so as to know it does not carry alkali sufficient to injure vegetation?

Mr. HOLT. It has been tapped in several places by people just south of the reservation, and they have been prospecting within what is known as the Berger Ranch, and these "barranca," as they call these washes, have cut back so that in places they intersect the underground flow and springs are developed.

The CHAIRMAN. Is that water alkaline—the springs?

Mr. HOLT. Not to damage the land. The value of the land given me by the superintendent of the reservation was \$450 to \$500 an acre if provided with water.

The CHAIRMAN. Mr. Commissioner, the question right there is, Don't you think it would be advisable to sink enough wells to ascertain whether or not this underground flow at that point would be capable of irrigating crops successfully without injury from alkaline poison?

Mr. VALENTINE. I assume this is the same water, Mr. Chairman, with which the Indians are now irrigating the 1,200 acres. How long have they been irrigating that, Mr. Holt?

Mr. HOLT. For years. They are irrigating less now than they were years ago, on account of these washes cutting the land out and filling the ditches.

Mr. VALENTINE. Has no report been made to us of any deterioration of the soil by the use of this water?

Mr. HOLT. No, sir.

Mr. VALENTINE. Would not that, Mr. Chairman, be pretty close proof that the water was safe?

The CHAIRMAN. That was what I was inquiring into, whether there had been any effort to irrigate this land.

Mr. VALENTINE. I should think the fact that they had been irrigating with this water so long and still are, and we have no reports of any damage, would indicate that the water is all right. I feel, personally, that some points that were made yesterday are pretty

sound in regard to the use of water—that even fairly bad water handled skillfully is better than no water at all.

The CHAIRMAN. I want to avoid the trouble that has arisen with reference to the Gila River Reservation, as they seem to have a large plant there, and it is a question as to whether it is available for use by the Indians.

Mr. VALENTINE. It would take, of course, a number of years to prove effectively what the water would be by digging a well, and it would be at least unfortunate delay to have to wait for that. At the same time I appreciate fully that we do not want any more rows that we can not resolve.

The CHAIRMAN. No; certainly. We want to be sure we are right first. Have you some letter that you want to submit?

Mr. VALENTINE. I would like to just make this statement for the record: That on February 2, 1909, Mr. J. H. Quinton, consulting engineer, reported on a method of handling flood waters, and in his report he says that if steps are not soon taken to stop the action of the flood waters land to the full amount of the appropriation asked will be swept away and the remaining lands much reduced on account of the unsightly and dangerous ravines and gullies formed in all directions throughout this alluvial soil at each flood. You are yourself familiar with at least the headwaters of that stream, and the place I was speaking of was all ripped out, and what possibly is good one day will be bad the next—

Mr. FERRIS. For the record, Mr. Chairman, I would like Mr. Holt to state just exactly where this land lies, and how far, for example, from Tucson.

Mr. HOLT. This map does not show Tucson, but I think it is about 15 miles north. There are private parties from Tucson that wish to get hold of and develop water on the reservation for the development of the land near Tucson.

Mr. VALENTINE. Is this proposed project on the reservation?

Mr. HOLT. Entirely on the reservation.

Mr. VALENTINE. What is the size of the reservation?

Mr. HOLT. The amount of land irrigated would be 3,000 acres.

The CHAIRMAN. That is the amount of Indian acres to be irrigated?

Mr. HOLT. Yes.

Mr. VALENTINE. I thought it would be useful to have in the record the amount of the whole reservation.

Mr. HOLT. I should judge about one-sixteenth of the entire area.

Mr. VALENTINE. There is about 41,000 acres allotted to 274 Indians, leaving an unallotted residue of 27,000 acres.

The CHAIRMAN. Is that residue irrigable land, or is it hills?

Mr. HOLT. It is grazing land, covered with mesquite and grass.

The CHAIRMAN. Can you give us an idea what it would cost to complete this contemplated work?

Mr. VALENTINE. The estimate is \$130,000 for the whole thing.

The CHAIRMAN. Would this be sufficient, then, to furnish irrigable land for this band of Indians without any further appropriation?

Mr. HOLT. I think that is practically all of the irrigable land that could be easily irrigated on this reservation.

The CHAIRMAN. Would it be practicable to put in a large dam at this point to impound this underground flow through the system, be-

tween Tucson and the head of the river, to supply the white settlers and the Indians, like the contemplated San Carlos and the Roosevelt Dam?

Mr. VALENTINE. My understanding is that it would not be, Mr. Chairman, unless you could make it a movable dam—you would have to have a dam that you could move around the country.

Mr. HOLT. There is no reservoir site; and it is the intention, if there is found to be any surplus water, to dispose of it to the whites south of the reservation, to reimburse a part of the cost of the project for the Indians. Until development is made they can not tell just how much surplus water there will be, but the fact that the whites are trying to get hold of the reservation to develop water would indicate that the people of the country believe that there is considerable underground water there.

Mr. VALENTINE. Apparently no dam sites are above there, Mr. Chairman.

The CHAIRMAN. With reference to the next supplemental item of \$5,000, have you any explanation to make of that—for the development of a water supply for domestic and stock purposes and for irrigation for Nomadic Papago Indians in Pima County, Ariz., immediately available, \$5,000?

Mr. VALENTINE. I submit a justification as follows, Mr. Chairman:

NOTE.—These Indians, about 5,000 in number, occupy a large territory in the Southern Arizona Desert, principally in Pima County, and have managed for generations to eke out a precarious existence without aid of any kind from the Government.

Their principal means of livelihood is and has been the raising of stock and some little grain and garden stuff; but with no way of conserving the flood waters except in a very primitive manner, and depending almost wholly upon the use of storm waters stored during the rainy period for maturing their crops, their condition becomes pathetic when an exceptionally dry period occurs, as one did in 1909 and 1910, and leaves them without seed or the means to procure it.

These Indians have never given the Government any cause for worry or caused it to expend any money to maintain peace, but, on the contrary, have often stood between the Government and trouble with neighboring Indians; and if any tribe in the country is worthy of assistance, it is the Papagoes.

The \$5,000 requested is for the purpose of developing and improving their present system of water conservation.

The CHAIRMAN. Have these Indians any trust funds?

Mr. VALENTINE. No, sir.

The CHAIRMAN. Have they any assets that ever can be converted into cash?

Mr. VALENTINE. No, sir; because the bulk of them have these little settlements on the public domain.

The CHAIRMAN. Have they allotments?

Mr. VALENTINE. They are now being allotted on fourth section allotments.

The CHAIRMAN. What is the size of their allotments?

Mr. MERITT. Eighty acres, 160 acres, and 40 acres irrigable under the terms. If they take the irrigable land they take only 40 acres.

Mr. FERRIS. If this \$100,000 appropriation would be made, it would be a gratuity, would it not?

Mr. VALENTINE. Except, as Mr. Holt pointed out, there may be some surplus underground waters which can be sold and which will partially reimburse the project; but that is very problematical.

Mr. FERRIS. This is the first expenditure that has been asked for?

Mr. VALENTINE. For this particular item—\$5,000. The \$100,000 is to save the land from being ditched out and washed away which has been under cultivation by these Indians, on which some money has been expended.

Mr. FERRIS. Have no Government funds heretofore been expended?

Mr. HOLT. \$8,000 have been expended, part of which was for maintenance and repairs.

Mr. FERRIS. And this \$100,000 is to be used to erect a dike; is that it?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. And is not for irrigation purposes strictly?

Mr. VALENTINE. No, sir.

The CHAIRMAN. It seems to protect the land from erosion by water from the Santa Cruz River.

Mr. HOLT. It protects the land so that we can develop this underground water. Without that dike it would be useless to construct the infiltration galleries, because they would fill up with every flood.

Mr. FERRIS. What is the state of civilization of these Indians? How far have they advanced?

Mr. VALENTINE. Not very far advanced, as my understanding is; but they have made a splendid struggle for existence and they have been almost self-supporting; some of them entirely so.

Mr. FERRIS. They are not ration Indians?

Mr. VALENTINE. No, sir.

Mr. FERRIS. What is the total annual appropriation that we carry for their support and maintenance and welfare?

Mr. VALENTINE. It is paid for out of the general school item.

Mr. FERRIS. Are they under an agency?

Mr. VALENTINE. There is an agent near Tucson.

Mr. FERRIS. Who has charge of these Indians?

Mr. VALENTINE. There is an agent near Tucson who has a general supervision over the Indians on the public domain. Altogether there are anywhere from 6,000 to 8,000 of these Indians scattered through that part of the country.

Mr. FERRIS. And this one agency has jurisdiction over all of them?

Mr. VALENTINE. This one agency has jurisdiction over all of them.

Mr. FERRIS. And, I suppose, immediate jurisdiction is carried on by the school superintendent?

Mr. VALENTINE. Yes, sir; the superintendent at Tucson.

Mr. FERRIS. Then the \$5,000 item is for irrigation purposes, is it?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. You can not carry on much irrigation for \$5,000, can you?

Mr. VALENTINE. No; but these Indians have made little water holes and tapped little streams that flow around through that country, and there a number of small propositions and a little work here and a little work there will very materially assist them.

Mr. FERRIS. If this \$5,000 appropriation is allowed, will that launch us out on an extensive irrigation project for which large sums will be required in the future?

Mr. VALENTINE. The expenditure of this money will not by any means necessitate that. It will simply insure water for stock pur-

poses and domestic supply, and a little garden irrigation here and there. Whatever goes in will be to the extent that it is put in the unit by itself; that it is not the beginning of a great, big project which will roll up like a snowball.

Mr. FERRIS. This \$100,000 appropriation?

Mr. VALENTINE. That is a distinct——

Mr. FERRIS. That is the beginning of a new irrigation project?

Mr. VALENTINE. That is the beginning and the end of a new irrigation project for \$100,000.

Mr. FERRIS. Not the end, because there will evidently be \$30,000 more asked for.

Mr. VALENTINE. The total cost will be \$130,000, and that is the whole project.

Mr. HOLT. Mr. Chairman, as I understand, this \$5,000 item is merely to carry on the work from now until our general fund is available on July 1.

The CHAIRMAN. I think that this large appropriation is for general use and this \$5,000 is for wandering——

Mr. HOLT. That is correct.

The CHAIRMAN. Or the nomadic bands of Indians who have bands of sheep and wander over the public domain in southwestern Arizona. Is that correct?

Mr. HOLT. Some are on the allotments, and develop tanks and ponds for stock and domestic purposes, and if there is any surplus, is to be used for irrigation on the small gardens. Mr. Granville, one of our engineers, made a report on that and went among them for a distance of several hundred miles.

The CHAIRMAN. How long a report is that?

Mr. HOLT. It is quite a lengthy report. I have not a copy of that one here, but it contains, I should say, 30 or 40 typewritten pages.

The CHAIRMAN. I think this item would be subject to point of order. We have never assumed control of these nomadic bands.

Mr. FERRIS. If made immediately available, it would be subject to a point of order.

The CHAIRMAN. The next item is:

Sec. 3. For support and civilization of Indians in California, including pay of employees, and for the purchase of small tracts of land situated adjacent to lands heretofore purchased, and for improvements on lands for the use and occupancy of Indians in California, fifty-seven thousand dollars.

Have you any explanation to make on that, Mr. Meritt?

Mr. MERITT. I desire to submit a justification for this item, as follows:

*Support of Indians in California.*

Fiscal year ending June 30, 1912:

Amount appropriated.....	\$57,000.00
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Fiscal year ended June 30, 1911:

Amount appropriated.....	42,000.00
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Amount expended.....	38,308.52
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Unexpended balance.....	3,691.48
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## Analysis of expenditures:

Employees-----	\$20, 144. 78
Construction and repairs-----	1, 030. 46
Heat, light, and power-----	438. 72
Subsistence-----	3, 104. 14
Dry goods, clothing, etc.-----	204. 75
Hardware, implements, etc.-----	7, 109. 49
Furniture and household goods-----	177. 80
Medical supplies-----	1, 679. 45
Live stock-----	1, 160. 00
Forage-----	1, 310. 13
Traveling expenses-----	1, 137. 80
Telephone service-----	144. 20
Stationery and office supplies-----	232. 00
Miscellaneous-----	434. 70
	<hr/> 38, 308. 52

## SUPPORT OF INDIANS IN CALIFORNIA.

Amount asked for, \$57,000.

This fund is used to pay the administrative expenses of 16 superintendencies, exclusive of salaries of superintendents and teachers, to look after the welfare of about 20,000 Indians. The Indians in California are without funds of their own, and it is necessary to a very large extent to provide them with articles of subsistence, etc. Every effort is being made to locate the Indians on lands so that they will be self-supporting, and a portion of the amount requested will be used to purchase lands for them.

The CHAIRMAN. I suppose the statement will show what land has been purchased?

Mr. MERITT. That does not show the purchase of land, but we have used a part of this appropriation for the purchase of land. The statement here shows an expenditure of only \$38,000, whereas there was appropriated about \$57,000. I can get you a statement showing the amount expended for the purchase of land.

Mr. BURKE. As I understand it, this analysis of expenditure is the amount you expended of the appropriation available in the year 1911? If you will notice, the item says, "Amount appropriated fiscal year ending June 30, 1911, \$42,000; amount expended, \$38,308.52." The unexpended balance was probably paid out at the end of the fiscal year for items contracted for during the year, was it not?

Mr. MERITT. Yes, sir.

Mr. BURKE. But there is nothing in this statement to show that any part of it was used for the purchase of land?

Mr. MERITT. I know that we have purchased land for California Indians out of this appropriation.

Mr. BURKE. During the last year?

Mr. MERITT. Yes, sir.

Mr. BURKE. The reason I ask this is that, as I understand it, these Indians are roving Indians. They are scattered over the State of California, are they not?

Mr. MERITT. They are scattered largely over the State of California.

Mr. BURKE. And the department has sought to get them located somewhere, and, in addition to aiding them, you expect to purchase land? I wanted to find out whether you were making any progress along that line.

Mr. MERITT. We have a special agent out there who is looking after this particular work. His name is Mr. Kelsey. He has ex-

pended a considerable amount of money in the last few years in getting California Indians located on particular tracts of land. It does not require a very large tract of land in California to support an Indian. Sometimes, if you can buy a tract of 5 acres, and get the Indian located there, he can make a living on that small tract.

Mr. BURKE. Does it not seem rather out of proportion in an appropriation of \$38,000 to use over \$20,000 of it for salaries of employees?

Mr. MERITT. We have a large number of small reservations which we have to support partly out of this fund. There are several Indian superintendents in southern California.

Mr. BURKE. A large part of the appropriation is paid to persons who are supposed to be looking after the Indians and directing them in their efforts to make a living?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Those are known as the Mission Indians, are they not?

Mr. MERITT. The Mission Indian reservations are located in southern California.

The CHAIRMAN. They are divided up into different bands and scattered over the country pretty generally, are they not?

Mr. MERITT. Yes, sir.

Mr. FERRIS. You say that they purchased some small tracts of land last year, and that you have a man there constantly engaged in that business?

Mr. MERITT. Looking after the landed interests of these California Indians.

Mr. FERRIS. How long will it be necessary to carry this same item in the bill granting authority to purchase tracts of land for these Indians before the purchases will be completed?

Mr. MERITT. We hope within two or three years to begin reducing this appropriation, so far as the purchase of lands is concerned.

Mr. FERRIS. How long has it been carried already?

Mr. MERITT. It has been carried for a number of years. I do not recall the exact number.

Mr. FERRIS. How many of these California Indians are there out there?

Mr. BURKE. The statement on page 125 shows 20,000.

Mr. MERITT. Yes; 20,000 Indians in California looked after under this appropriation.

Mr. FERRIS. How many agencies did you say there were?

Mr. MERITT. Sixteen agencies.

Mr. FERRIS. And you have an agent to how many Indians?

Mr. MERITT. About 1,250.

The CHAIRMAN. On some of these reservations I think the superintendent of schools is in charge, is he not?

Mr. MERITT. Yes; the superintendents of the reservations are also in charge of the schools and teach. These are small reservations.

Mr. FERRIS. In a case of that kind do they draw two salaries?

Mr. MERITT. No, sir.

Mr. FERRIS. Where does this enormous amount for salaries come from if these agents are paid out of the school funds and are really the school superintendents?



Mr. MERITT. They are not all paid out of the school fund. Part of them are paid out of this appropriation.

Mr. FERRIS. How many of them are paid from the school fund and how many from this fund?

Mr. MERITT. I should have to get a statement from the office showing that.

The CHAIRMAN. Could you get us a statement from the office showing that, and also explaining a little fuller the situation with reference to those Indians there in this respect—showing that they are scattered bands and showing why it costs so much more for the Indians there than it does here?

Mr. BURKE. Also show what has been accomplished in the way of acquiring lands for their use.

Mr. MERITT. I will do that. I might say, Mr. Chairman, that recently there has been a consolidation of a number of these small reservations, and one superintendent now has charge of more than one reservation; and there has been a saving in salaries by that action.

Mr. FERRIS. Then should not the estimate for the appropriation be cut down in keeping with that saving?

Mr. MERITT. We are paying those salaries out of the general school fund. Mr. Kelsey, who is looking after the purchase of lands for these Indians, is complaining that he has not sufficient funds to meet the needs of the Indians, and under such circumstances I should not like to say that we could get along with less money.

Following is a statement giving information as requested above:

Six thousand three hundred and thirty-five and sixty-nine one-hundredths acres of land in California have been acquired for homeless bands of Indians in that State under appropriations by Congress. Two or three of these transactions have not been completed, however, by the deeds being passed upon by the Attorney General, as required, and being recorded in the proper county in California and in this office.

Six hundred and twenty and twenty-four one-hundredths acres were actually acquired for the California Indians during the fiscal year 1911, deeds for the property having been passed upon by the Attorney General and recorded.

Information from the finance division indicates that no money was paid for these purchases during the fiscal year 1911 from the appropriations for the support of the California Indians.

The appropriations made by the acts of June 21, 1906 (34 Stat. L., 325-333), and April 30, 1908 (35 Stat. L., 70-76), amounting to \$150,000 were mainly used in these purchases. Other funds, however, technically known as "Purchase of land for landless Indians in California," and also the appropriations for the "Support of Indians in California," which authorized the purchase of land adjoining that already bought for the Indians have been used in purchasing lands.

The funds used in paying for the lands purchased during the fiscal year 1911 were: "Lands, irrigation, etc., for Indians in California," which is the technical title of the appropriations named in the first sentence of paragraph 4 of this memorandum, and "Purchase of land for landless Indians in California," the technical title of the appropriation made by the act of April 4, 1911 (36 Stat. L., 273).

The CHAIRMAN. The next item is:

For support and education of five hundred and fifty Indian pupils at the Sherman Institute, Riverside, California, and for pay of superintendent, ninety-six thousand three hundred and fifty dollars; for general repairs buildings and other improvements, twenty-one thousand dollars; in all, one hundred seventeen thousand three hundred and fifty dollars.

That item shows an increase of \$3,000.

Mr. MERITT. I should like to submit a justification in support of this item, as follows:

*Indian school, Riverside, Cal.*

Fiscal year ending June 30, 1912:

Amount appropriated	\$104,350.00
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Fiscal year ending June 30, 1911:

Amount appropriated	104,350.00
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Amount expended	100,466.55
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Unexpended balance	3,883.45
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Analysis of expenditures:

Employees	35,165.52
Construction and repairs	7,470.46
Heat, light, and power	7,505.01
Subsistence	19,522.77
Dry goods, clothing, etc.	17,472.26
Hardware, implements, etc.	5,951.15
Furniture and household goods	2,271.12
Schoolroom supplies	942.95
Medical supplies	649.74
Forage	998.96
Traveling expenses	15.65
Telephoning	137.25
Stationery and office supplies	309.21
Irrigation water	1,625.75
Miscellaneous	428.75
	100,466.55

Also \$30,000 for buildings in act for 1911, and \$10,000 in 1912 act, none of which has yet been used.

*Indian school, Sherman Institute, Riverside, Cal., 1913.*

Support, education, etc.	\$93,350.00
Repairs and improvements	21,000.00

Total	117,350.00
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Total value of school plant	\$309,747.25
Capacity of school	550
Enrollment	657
Average attendance	465
Number of employees	50
Total amount of salaries	\$36,010.00

Appropriation, 1911:

Support, education, etc.	94,350.00
Addition to dormitories	15,000.00
New hospital	15,000.00
General repairs and improvements	10,000.00

Total	134,350.00
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Expenditures, 1911:

Administration	2,600.00
Operation	90,733.58
Plant	7,539.11

Total	100,872.69
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Cost per capita, exclusive of repairs and improvements to plant and new construction	142.06
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Appropriation, 1912:

Support, education, etc .....	\$94,350.00
Shop building and equipment .....	10,000.00
Repairs and improvements .....	10,000.00
	<hr/>
	114,350.00
	<hr/>

Superintendent's estimates for 1913:

Absolute necessities .....	165,500.00
Urgent needs .....	5,000.00
	<hr/>
	170,500.00

This school draws its pupils from the Mission Indians of California. It has special courses in industrial work, has been filled to its capacity, and has done efficient work at a reasonable cost per capita.

The superintendent estimates for construction, repairs, and improvements for the fiscal year 1913, as follows:

General repairs and improvements .....	\$15,000
Construction of school buildings, material, and labor .....	20,000
Repairs and extension of water system .....	3,000
Repairs sewer system .....	500
Central heating plant .....	15,000
	<hr/>
	53,500

It became necessary to reduce these estimates, and, of course, this will result in dispensing with many necessary improvements during the next two years.

Allowing the superintendent \$10,000 for general repairs and \$3,000 for repairs to the water system, there will remain a balance available for new construction, probably employees' buildings, of \$8,000.

Mr. MERITT. The superintendent of this school is asking for a much larger appropriation than we have estimated for. In all these special appropriations we have cut down the estimates as submitted by the superintendents at least 20 per cent.

Mr. FERRIS. You have increased the appropriation from \$114,350 to \$117,350 this year?

Mr. MERITT. Yes, sir.

Mr. FERRIS. I believe you stated in your former statement regarding these school items, that the increases were, as a rule, intended to be used as increases in salaries. Is that also true of this school?

Mr. MERITT. For increases in salaries and also increases in repairs.

Mr. FERRIS. How much of this increase relates to repairs and how much do you propose to use for increase of salaries?

Mr. MERITT. The item is divided into two parts, you will notice. The support of the school, including the pay of the superintendent, is increased from \$94,000 to \$96,000, and for general repairs, buildings, and other improvements, it is increased from \$10,000 to \$21,000. The increases at this school are largely for increases in repairs.

Mr. FERRIS. What is the highest salary paid at the Sherman Institute?

Mr. MERITT. The salary of the superintendent, I believe, is \$2,500.

Mr. FERRIS. Is it proposed to raise his salary?

Mr. MERITT. No, sir.

Mr. FERRIS. The proposed raise, then, would be for the intermediate teachers, would it not?

Mr. MERITT. The teachers who are getting \$600 and \$800 and \$900 a year, who are really worth \$1,200 a year.

Mr. FERRIS. The amount of repairs to buildings and other improvements is as per the estimate of the local parties in charge, is it not?

Mr. MERITT. No, sir; we have pared down the estimates of the superintendent possibly \$25,000 for repairs and new buildings.

Mr. FERRIS. The major portion of this increase from \$114,350 to \$117,350, an increase of \$3,000, is to be used for repairs rather than for increases of salaries?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Could you give us a statement of the proposed salary increases?

Mr. MERITT. We could not give you that statement, Mr. Chairman, because we do not know at this time just who will get the increases.

The CHAIRMAN. I do not ask for the names, but just the amounts that will go to the teachers.

Mr. MERITT. That would be decided by the board of apportionment after the appropriation bill is passed.

Mr. BURKE. This increase, in fact, is \$13,000; is it not?

Mr. MERITT. It is an actual increase over last year of \$3,000.

Mr. BURKE. But now you propose, according to the estimate, to ask for \$21,000 to be used not only for general repairs, but to build new buildings.

Mr. MERITT. For general repairs. There should be a comma after the word repairs—for "general repairs, buildings and other improvements."

Mr. BURKE. Yes. The superintendent has recommended for the construction of school buildings, \$20,000; central heating plant, \$15,000, etc.; and you are asking now that the appropriation may be made so that you may build a new building, if you desire to do so. Is that true?

Mr. MERITT. We may use this appropriation for repairs. We may use part of it for erecting one of the buildings that he is asking for or we may use it for other improvements around the grounds. We are asking for \$21,000 to be used as the needs of the service may require.

The CHAIRMAN. The next item is:

For the balance of the first annual reclamation and maintenance charge on Yuma allotments and for the second and third annual charge and maintenance, one hundred thousand dollars, or so much thereof as may be required, to be reimbursed from the sale of surplus lands or from other funds that may be available, in accordance with the provisions of the act of March third, nineteen hundred and eleven.

Mr. VALENTINE. That is wrong; the extension should be \$100,000.

Mr. FERRIS. How much had they last year? Is that wrong, too?

Mr. VALENTINE. \$18,000 is the amount appropriated last year.

The CHAIRMAN. Is there something in justification of that that you wish to offer?

Mr. VALENTINE. I would like to offer a justification as follows:

#### RECLAMATION CHARGES.

Increased Yuma allotments, \$100,000.

It would seem that we would be justified in paying \$55 per acre as construction charges for the irrigation project for this land, as the land without irrigation is practically worthless and with irrigation will probably bring \$100 or more in event of a sale. The farming operations of the Yuma Indians having

been restricted heretofore to the use of uncontrolled flood waters have not been very profitable. The irrigating season is 365 days in the year at Yuma, and there is no question but that the Indians can make a very good living from this irrigated land.

The act of April 21, 1904 (33 Stat. L., 224), authorized allotments of 5 acres to each Indian, but in the act of March 3, 1911 (36 Stat. L., 1063), Congress authorized allotments of 10 acres, and appropriated \$18,000 to meet the additional charge which the increased allotments would call for. It was estimated that there would be 15,000 acres to sell, which at \$10 an acre would amount to \$150,000, to be used in paying the charge upon 2,750 acres which were to be allotted to 550 Indians.

Under the arrangement for increased allotments 5,500 acres of land were to be allotted, thus reducing the area to be sold at \$10 per acre by about 3,000 acres, representing a decrease in the fund of \$30,000, which, added to the reclamation charge for the additional 2,750 acres, \$150,000, makes a total of \$180,000 which Congress would be called upon to provide for in 10 annual appropriations, hence the appropriation of \$18,000 in the 1912 Indian bill.

The Reclamation Service now estimates that of the land not opened to entry 6,072 acres reserved for allotments to Indians are irrigable. Of the 6,939 acres opened for settlement, 6,503 are irrigable, and barring some of the 6,072 acres reserved which may not be required for the Indians, all the building charges in excess of \$65,030 will have to be met by appropriations which it is expected will be reimbursable, and in addition the maintenance charges will have to be provided for, now estimated at \$1 per acre per annum.

The first and second annual charges on land reserved for allotment to the Yuma Indians, estimated acreage 6,072, amounts to \$78,936. It was expected that the sale of the surplus irrigable lands of the Yuma Reservation would yield the amount necessary to meet the charges for all the land which would be required for 5-acre allotments. The act of March 3, 1911, increasing the size of allotments to 10 acres necessarily reduces the amount of land which otherwise would have been for sale. Consequently the proceeds of irrigable lands will be insufficient to meet the reclamation charges. The Yuma Reservation, however, contains approximately 35,000 acres of land from the sale of which reimbursement is expected. The third annual charge will be due December 1, 1911, and as the proceeds from the sale of irrigable land have so far furnished but \$8,000 for use in repaying these charges, this advance is necessary.

This appropriation should be reimbursable in accordance with the provisions of the act of March 3, 1911.

The CHAIRMAN. Mr. Holt, at what point on the river were these Indians situated, on the Colorado?

Mr. HOLT. On the Colorado River at the lowest point, at Yuma.

The CHAIRMAN. At the town of Yuma?

Mr. HOLT. Yes, sir.

The CHAIRMAN. Below or above?

Mr. HOLT. I can hardly tell from this small scale map. They are the lowest Indians on the Colorado River.

The CHAIRMAN. That is adjoining Mexico?

Mr. HOLT. Practically joins Mexico.

The CHAIRMAN. How many Indians are there in this band?

Mr. HOLT. Six hundred and forty-nine Indians.

The CHAIRMAN. What is the size of the reservation that they occupy?

Mr. HOLT. Thirty-five thousand acres.

The CHAIRMAN. How much of that is irrigable?

Mr. HOLT. Six thousand and seventy-two acres irrigable under this project. There is a certain amount that was disposed of to the whites from which this is made reimbursable?

The CHAIRMAN. Has it been allotted among the Indians?

Mr. HOLT. It has not been allotted, but the size of the allotment has been fixed by Congress.

The CHAIRMAN. At how much?

Mr. HOLT. Ten acres; and that is one reason why it is necessary for this increase. The allotment fixed by Congress at first was 5 acres and then it was increased to 10, and that appropriation of \$18,000 last year was for the construction cost on the increased allotments.

The CHAIRMAN. What can be the effect now, unless this increase is made, on the Indians and on this reservation?

Mr. HOLT. We would be unable to make the annual payments to the Reclamation Service.

The CHAIRMAN. Then this is to refund money due the Reclamation Service?

Mr. HOLT. The acreage construction cost is \$55 an acre, and it has to be paid for in 10 annual installments, and in addition to that amount is \$1 per acre per annum for maintenance for 10 years, and no payments have been made except something like \$8,000 from the sale of the ceded portion of the reservation.

The CHAIRMAN. Have they any other lands except these that have not been allotted?

Mr. HOLT. They have this 35,000 acres of surplus land.

The CHAIRMAN. What would be the value of that land looking to the reimbursement of this money that we are expending now? Would that amount be sufficient to raise funds to reimburse the money that we are now expending?

Mr. HOLT. I can not answer that, for the reason that I do not know how much of that is irrigable, but the very fact that these allotments were increased reduces the chance of reimbursement by \$10 an acre for that increased amount of land allotted to these Indians.

The CHAIRMAN. I see this is to be reimbursable from the sale of surplus lands, and that is the land you allude to.

Mr. HOLT. There is \$60,000 that will be reimbursed from the ceded portion. That is fixed by a board of appraisement. The purchasers of that were to pay \$10 an acre for the land and then to pay the Reclamation Service construction charge in addition. This \$10 an acre goes toward reimbursing the construction of the Indian part of the project and the remainder will have to be reimbursed from these 35,000 acres of surplus land which may or may not have any great value. I can not answer as to that.

The CHAIRMAN. Is not that quite a lot of money to expend on that many Indians?

Mr. MERITT. This irrigation project has not been a very expensive one, and it is believed that the Indians have sufficient lands to reimburse the Government for the money that will be expended. This appropriation is necessary in order to reimburse the Reclamation Service for the work already done under laws already enacted.

Mr. FERRIS. Last year the appropriation was \$18,000, and this year \$100,000. What law gave the Reclamation Service or the Indian Office authority to expend \$100,000, when only \$18,000 was appropriated last year?

Mr. HOLT. It was thought that the receipts obtained from the sale of ceded land would pay for the construction of this project, and when Congress increased the size of the allotments to 10 acres it takes twice the amount of money to reimburse the Reclamation Service, and it reduces the amount of land to be ceded by 3,000 acres.

Mr. FERRIS. How much has been expended already on this project?

Mr. HOLT. It is practically completed by the Reclamation Service, and is to be paid for in 10 annual installments, which have not been paid, and this is to pay the one for 1909-10, and the last one became due on December 1, 1911.

Mr. FERRIS. Why have they not been paid?

Mr. HOLT. No claims have been submitted by the Reclamation Service for the payment of that, and the funds received from the sale of ceded land have been insufficient to care for it, only \$8,000 having been received.

Mr. FERRIS. If the Reclamation Service installed a plant and the law provided that their compensation should come from the sale of ceded lands to be paid back in 10 equal annual installments, why not hold the Reclamation Service to the proportion of reimbursing themselves from the sale of those lands?

Mr. HOLT. I think the Reclamation Service has nothing whatever to do with the sale of the land.

Mr. FERRIS. Well, then, with what propriety can the Indian Office come here and ask the Federal Government to appropriate money if the law anticipated they would get it out of the sale of these lands?

Mr. MERRITT. Congress, by act of March 3, 1911, increased the size of the allotments from 5 to 10 acres, and as a result of that the reclamation charges have been increased, and we are now asking for this increased appropriation because of an act passed by Congress.

Mr. FERRIS. Have the white people made their payments in keeping with the terms of the grant for the ceded lands which were taken up by them?

Mr. HOLT. They are making them; I do not know how many have been made.

Mr. FERRIS. When were the first payments due from that sale of those ceded lands?

Mr. HOLT. The one for the years 1909-10 were due on December 1, as I understand it.

Mr. FERRIS. And how much would that amount to in the aggregate?

Mr. HOLT. \$1 per acre per year for 10 years.

Mr. FERRIS. That would be one of the 10 payments, would it?

Mr. HOLT. Yes.

Mr. FERRIS. And what would that amount to by exact mathematical calculation?

Mr. HOLT. \$30,000 for the increased allotments and \$60,000 in all.

Mr. FERRIS. And that would not pay the amount that is now due the Reclamation Service for the installation of this plant?

Mr. HOLT. This is paid into the Treasury to reimburse the Reclamation Service for the construction of the project on the Indian land.

Mr. FERRIS. Oh, I see. The white settlers are dealing directly with the reclamation fund, are they?

Mr. HOLT. Yes, sir.

Mr. FERRIS. And the Indian Office is coming to Congress and getting an appropriation from the Federal Treasury to pay for the Indian lands that are irrigated?

Mr. HOLT. Yes, sir. That was to be paid from the sale of the surplus lands, a part of which is this six or seven thousand acres of

lands ceded to the whites, and the whites were to pay \$10 an acre to the Indian Office for the ceded lands in 10 annual installments, so that the Indians only have \$1 an acre coming from the whites with which to pay this construction cost of the \$5.50 an acre for Indian land irrigated.

Mr. FERRIS. Now, as a matter of fact, the proceeds from the sale of those lands never will be enough to pay for the amount to be expended, will they?

Mr. HOLT. No, sir.

Mr. FERRIS. And how much will they lack?

Mr. HOLT. Something like \$30,000, less whatever the surplus land will bring.

Mr. FERRIS. When it is all paid in?

Mr. HOLT. Yes, sir.

Mr. FERRIS. And here we are appropriating \$100,000 for that the first year from the Federal Treasury.

Mr. HOLT. That is to take care of three years—1909, 1910, and 1911.

Mr. FERRIS. We appropriated last year \$18,000.

Mr. HOLT. That will take care of only the increase in the size of the allotments made by Congress. There were first 5 acres, and they were increased to 10—\$5.50 an acre construction cost on 3,000 acres is something like \$18,000, including \$1 per acre maintenance.

Mr. FERRIS. How much did they appropriate the first year?

Mr. HOLT. \$18,000 was the first appropriation in the act of March 3, 1911.

Mr. FERRIS. If we appropriated \$18,000 for the enlarged allotment last year, why is it necessary to jump to \$100,000 to take care of the enlarged allotment this year?

Mr. HOLT. To take care of the entire allotment.

Mr. FERRIS. But, under the act of March 3, 1911, it was then assumed that you would take care of the original allotment of 5 acres on the sale of the ceded lands, was it not?

Mr. HOLT. Yes, sir.

Mr. FERRIS. But it has developed that the sale of the ceded lands would not, in fact, pay that?

Mr. HOLT. Yes, sir; for the simple reason that 3,000 additional acres have been taken from the ceded lands, reducing the amount that the Indians would receive by \$30,000 and increasing the amount the Indians will have to pay by one hundred and fifty thousand odd dollars.

Mr. FERRIS. Well, what other assets have they?

Mr. HOLT. This 35,000 acres of land which may have some value.

Mr. FERRIS. They have not any trust funds at all, have they?

Mr. MERITT. No, sir.

Mr. FERRIS. And this item is made immediately available, is it not? Then, you do not know whether this recital in the bill that it is reimbursable amounts to anything or not?

Mr. MERITT. I do not know that it is entirely reimbursable. It is to a certain extent—\$60,000.

Mr. FERRIS. \$60,000 of it will be paid in, plus whatever this 35,000 acres may be worth.

Mr. MERITT. Yes, sir.

Mr. FERRIS. If they are not irrigable they do not have any value at all, do they?



Mr. MERITT. Very little.

Mr. VALENTINE. May I put in a suggestion which occurred in connection with the question Mr. Ferris asked about these Papago schools? We have back here [indicating] a general school fund out of which the Papago school is paid.

The CHAIRMAN. Is this the same reservation you speak of?

Mr. VALENTINE. The one we considered just before we came to Yuma—the Papago, at Tucson. I would suggest adding to that item for support of Indian day and industrial schools, etc., a demand of the office on the part of Congress of a cost statement to be submitted annually, showing the operating expense and distribution of that fund which would enable the committee to have before them and compel the office to have before it the precisely right kind of records in connection with the fund. My whole attitude before the committee, as you will recall, in others years has been that where we have these big appropriations we should not split them up and try to say in advance just how they should be spent; but the office should be held by the Congress to a most rigid accounting, including such a provision of figures as would compel business management of the appropriation.

The CHAIRMAN. Now, what more have you heretofore made?

Mr. VALENTINE. You have done that in a number of instances. You have called for it in our general irrigation item and in the big appropriation covering industrial work, and you will find that, for example, in House Document No. 211, Sixty-second Congress, second session. Another example of what I mean will be found in Document No. 209, Sixty-second Congress, second session, which gives a general statement about Indian school and agency properties. So that the committee has before it in distributive form precisely how these expenditures are made. It is in line with that same idea.

Mr. FERRIS. Did I understand your statement to be that you thought it better to so construct a bill that we should let you have more of a free rein in making the expenditures, and let the supervision that was to come from Congress amount to a demand for a strict accounting every year?

Mr. VALENTINE. That is my general principle.

Mr. FERRIS. That is what I had gathered from your remarks. If that be the policy of the substance of your statement just made, and the theory of having the Federal Congress provide the expenditures of public funds, that would rather be "locking the stable after the horse was stolen," would it not?

Mr. VALENTINE. No, sir. For instance, the Indian Service to-day has something like 1,300 or 1,400 appropriations. Those appropriations have been provided along lines that it is absolutely impossible, even if we had a large force at our disposal, to handle those as a big business handles its budget. We have eight or nine main activities: The general health campaign, which is contributed to out of a large number of appropriations. I make the statement without hesitation that if Congress was suddenly to take this bill, with the exception of the treaty items, which would have to stay as they are, and appropriate under seven or eight, we will say, main heads—for instance, the big basic work that we are doing is the health

work; next comes the industrial; then comes forestry and irrigation matters, which assist in industrial work, and so on. If Congress were to appropriate under those heads and demand such a clear accounting of that, you might possibly be in the position for one year, I am willing to admit, of locking the door after some of the horses were stolen, but it would be the last time any horse would ever be stolen out of a barn after Congress had that information before it.

Mr. BURKE. I will not carry it any further. I just wanted to make that observation.

The CHAIRMAN. The next item reads:

FLORIDA.

The unexpended balance of the appropriation of ten thousand dollars "for relief of distress among the Seminole Indians in Florida, and for purposes of their civilization," made in the Indian appropriation act approved March three, nineteen hundred and eleven (Thirty-six Statutes at Large, page ten hundred and sixty-three), shall remain available until expended.

What have you to say, Mr. Meritt, on this unexpended balance of the Seminole Indians in Florida, and for purposes of their civilization?

Mr. MERITT. There was appropriated \$10,000 and all that appropriation has not been used, and we are simply asking that this appropriation may remain available until expended in connection with the work among the Seminole Indians of Florida.

The CHAIRMAN. So you are not asking for anything more?

Mr. MERITT. No, sir; we are not asking for an appropriation; we are simply asking for a continuation of the appropriation heretofore made, and in support of this item I should like to submit a justification, as follows:

*Support of Seminoles in Florida.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$10,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	15,000.00
Amount expended.....	2,798.78
Unexpended balance.....	12,201.22
Analysis of expenditures:	
Employees.....	1,600.00
Traveling expenses.....	1,198.78
	2,798.78

With the appropriations heretofore made for support of the Seminole Indians in Florida, a special agent was appointed and spent some nine months in the field investigating local conditions and ascertaining particulars regarding these Indians with a view of establishing schools and other educational facilities for their benefit. A comparatively accurate census was prepared and considerable land set aside by Executive order for their benefit in addition to lands heretofore purchased under special appropriations by Congress between the years 1895 and 1900.

Future conditions among these Indians may require prompt steps for their support and relief, which can best be met by having funds at hand to meet such emergencies as may arise. The unexpended balance of the appropriation heretofore made is deemed sufficient for this purpose, provided it is made available until expended, without an additional appropriation being necessary.

Mr. BURKE. You say in your statement that "A comparatively accurate census was prepared." Can you give us the number of these Indians?

Mr. MERITT. There are about 400 of those Indians, as I recall.

Mr. BURKE. You also mention that an Executive order reservation, I presume, has been made for them. Where is that, in the Everglades?

Mr. MERITT. Yes, sir.

Mr. BURKE. Is that public domain, or is that part of the State of Florida?

Mr. MERITT. Part of the Everglades is public domain. Most of the Everglades, as I understand it, have been turned over to the State of Florida.

Mr. BURKE. I presume these Indians insist upon remaining in the Everglades, or in Florida?

Mr. MERITT. Yes, sir. They would not leave the Everglades for the best farms in Illinois. Congress is not making an appropriation for these Indians. They make their own living by fishing and hunting.

The CHAIRMAN. The next item is section 5:

## IDAHO.

Sec. 5. For support and civilization of Indians on the Fort Hall Reservation in Idaho, including pay of employees, thirty thousand dollars.

That is the same amount as last year.

Mr. MERITT. In support of that item I should like to submit a justification, as follows:

*Support of Indians of Fort Hall Reservation, Idaho.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$30,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	30,000.00
Amount expended-----	26,276.62
Unexpended balance-----	3,723.38
Analysis of expenditures:	
Employees-----	9,219.73
Construction and repairs-----	1,647.41
Heat, light, and power-----	247.30
Subsistence-----	13,162.72
Hardware, implements, etc-----	601.18
Furniture and household goods-----	185.10
Medical supplies-----	114.46
Live stock-----	450.00
Forage-----	506.53
Traveling expenses-----	13.50
Stationery and office supplies-----	121.63
Seed-----	7.06
	26,276.62

SUPPORT OF INDIANS, FORT HALL RESERVATION; AMOUNT ASKED FOR, \$30,000.

There are under the jurisdiction of the superintendent of the Fort Hall Agency over 1,500 Indians whose affairs he is called upon to administer. This money is used for clerk hire, subsistence and material for the Indians, fuel for the agency, forage for the stock, and many other incidental purposes.

The CHAIRMAN. Why have you stricken out the words "the Shoshones, Bannocks, Sheepeaters, and other"?

Mr. MERITT. We wanted to make that wording uniform with the other items in the bill.

The CHAIRMAN. Would this item cover these Indians?

Mr. MERITT. Yes, sir; they are all living on the Fort Hall Reservation.

The CHAIRMAN. Some of them went off the reservation, did they not? If the Shoshone Indians, or either one of these bands, should move away from the Fort Hall Reservation, it would not cover them, would it?

Mr. MERITT. You will notice that under the bill, formerly, we could not have provided for them, because the bill says, "Indians on the Fort Hall Reservation in Idaho."

Mr. BURKE. What is the financial conditions of these Fort Hall Indians? I was under the impression that there was some land that had not been disposed of, and that they were constructing an irrigation system.

Mr. MERITT. We have about completed a large irrigation project for the Fort Hall Indians, which has cost the Government nearly \$750,000. This project, however, is shared by the white people as well as the Indians.

The CHAIRMAN. The next item is, "For maintenance and operation of the Fort Hall irrigation system, \$20,000."

Mr. MERITT. Mr. Chairman, in support of this item I wish to submit the following justification:

*Irrigation and water system, Fort Hall Reservation, Idaho (reimbursable).*

Fiscal year ending June 30, 1912, amount appropriated.....	\$85,000. 00
Fiscal year ended June 30, 1911:	
Appropriated.....	<sup>1</sup> 100,000. 00
Total amount appropriated.....	185,000. 00
Amount expended.....	120,021. 80
Unexpended balance .....	64,978. 20
Analysis of expenditures:	
Employees.....	91,040. 84
Material.....	8,495. 92
Heat, light, and power.....	1,696. 17
Equipment.....	3,641. 21
Medical supplies.....	64. 20
Forage.....	7,808. 11
Transportation of supplies.....	4,192. 81
Traveling expenses.....	1,313. 74
Telegraphing and telephoning.....	111. 97
Stationery and office supplies.....	159. 17
Court costs.....	1,350. 00
Miscellaneous.....	147. 66
	120,021. 80

About \$10,000 was expended since July 1, 1910, in the settlement of expenses for fiscal year 1910, which reduces the unexpended balance to about \$55,600.

<sup>1</sup> Immediately available.

Number of Indians -----	1,732
Land now irrigated:	
Indians ----- acres	2,700
Whites ----- do	3,011
Land now irrigable ----- do	50,000
Cost per acre to July 1, 1911 -----	\$14
Amount expended to July 1, 1911 -----	\$700,064.40
Value per acre when irrigated -----	\$100 to \$150

Project practically complete.

#### FORT HALL PROJECT, IDAHO.

Seven hundred and thirty-five thousand dollars have been appropriated for this project; \$827,750.05 have been expended on this reservation to date, of which \$700,064.40 have been expended on the Fort Hall project, which includes \$5,000 on maintenance. This project is now practically completed and irrigates 50,000 acres of land, of which 12,000 is on the ceded part of the reservation.

The act of March 3, 1911, appropriated \$85,000 for the completion of the Fort Hall project, of which amount the sum of \$10,000 was available for maintenance.

During the spring of 1911 very heavy floods caused damages to the system, which have not as yet been fully repaired; hence the entire amount of maintenance money provided for will be used on this work. This will leave other necessary maintenance work unprovided for, and the amount requested is, under the circumstances, none too large for the purpose stated.

Over 1,700 Indians are being benefited under this project.

An item for \$20,000 is included in the bill as prepared by the Indian Office for 1913.

The CHAIRMAN. Is that to be \$20,000 each year, and does it cost that much to operate this alone?

Mr. MERITT. It will cost more now than it will later.

The CHAIRMAN. For what reason?

Mr. MERITT. To keep ditches and other properties in condition.

The CHAIRMAN. Is that done under your department?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Have you any other further statements that you wish to put in in reference to it?

Mr. HOLT. Mr. Chairman, I would like to make one statement: This Fort Hall project is approximately 50,000 acres, of which 12,000 acres has been ceded, and the whites are to pay for the maintenance of that part, and the rate has been fixed by the Secretary at \$1 an acre a year. It may be different every year; and under the present laws the comptroller has decided the funds collected for maintenance from the whites must be deposited in the United States Treasury as miscellaneous receipts, class 1, and for that reason we can not use that money for maintaining the project. A change has been made in the general appropriation whereby we will be able to use this money collected for maintenance for the purpose it was intended, and for the land irrigated by the Indians for some years we will undoubtedly have to maintain and operate their ditches for some 38,000 acres of land.

The CHAIRMAN. Do I understand you to say we must appropriate on this bill this amount of money to pay for the maintenance of the water obtained for the Indians, and also the whites, in the whole system?

Mr. HOLT. This year; and if that new change in the general bill goes through, it will be effective next year. But last season we

collected only a small amount, \$800, which was turned into the Treasury of the United States, and this year we are collecting from the whites something over \$3,090, which will go into the Treasury, and for that reason it is necessary that the appropriation for the year 1913 be greater by that amount.

The CHAIRMAN. Why should not this, then, if that is correct, go to the regular Appropriations Committee as a deficit item?

Mr. HOLT. The \$3,090 would be the only part that should not be included in this. The Indians have no way of making their payments, and until they get their land under cultivation they will be unable to care for the maintenance, because they now have only three or four thousand acres under this project under cultivation, and they have to perfect their title for beneficial use under State laws within four years, and all their energies will be devoted to putting their 20-acre allotments under water and crops.

The CHAIRMAN. Is this 20 acres given to the head of a family or to each individual Indian?

Mr. MERITT. Each individual Indian.

The CHAIRMAN. Is not that larger than any other reservation?

Mr. HOLT. On these northern reservations the season is shorter, and we can not raise as much as down in California and Arizona.

Mr. FERRIS. Did you say there is only about 3,000 acres under cultivation in this project?

Mr. HOLT. Three thousand, I think, this last year; yes.

Mr. FERRIS. And this project has already cost \$735,000?

Mr. HOLT. There are 3,000 acres cultivated by the whites and about the same cultivated by the Indians.

Mr. FERRIS. So that it would make about 6,000 acres in this whole project?

Mr. HOLT. Yes, sir.

Mr. FERRIS. For the expenditure of \$735,000? You estimate that it will require \$20,000 a year as a maintenance charge; is that correct?

Mr. HOLT. Yes, sir; it may vary from year to year, depending on floods. Last year they had considerable damage, caused by one flood in the winter time—\$16,000 of damage.

Mr. FERRIS. The whites pay \$1 an acre for their maintenance charge for their 3,000 acres, and that goes into the Federal Treasury; is that correct?

Mr. HOLT. Yes, sir.

Mr. FERRIS. The Secretary of the Interior fixes that charge, does he not?

Mr. HOLT. Yes, sir.

Mr. FERRIS. So there is derived from the 6,000 acres that they have water on \$3,000, approximately?

Mr. HOLT. Yes, sir.

Mr. FERRIS. Well, how is it that we have to appropriate \$20,000 to maintain 6,000 acres, if they have only got \$3,000 from half of that land?

Mr. HOLT. Mr. Ferris, the \$20,000 is to maintain the entire system, which is something like 50,000 acres—125 miles of canals and laterals.

Mr. FERRIS. I thought you just stated there were only 6,000 under irrigation?

Mr. HOLT. Under irrigation, actually irrigated. The rest is under the ditch and will be irrigated as soon as they get the land cleared and the water is applied.

Mr. FERRIS. But the project is practically complete, is it not?

Mr. HOLT. Yes, sir.

Mr. FERRIS. For which an expenditure of \$827,750.05 has been made. Do you think the charge fixed by the Secretary of the Interior at \$1 an acre is a reasonable charge?

Mr. HOLT. That is reasonable. The maintenance varies anywhere from 50 cents an acre to \$1.50; and sometimes, in pumping propositions it will go as high as \$2 an acre.

Mr. FERRIS. Are these white settlers making payments for the first-class land to the Federal Government for the Indians, or do you know?

Mr. HOLT. The white settlers—I do not know how they pay for the land. I do not know what arrangements were made, but they are paying this \$6 toward the construction cost of the project per acre.

Mr. FERRIS. That is their irrigation cost?

Mr. HOLT. Yes; for water.

Mr. FERRIS. I was trying to get at what kind of fee title they have and how did they acquire the title to that—by ownership?

Mr. HOLT. I do not know.

Mr. VALENTINE. The reservation has been opened to that extent, and the land is opened to white settlement.

Mr. FERRIS. Was it by sale, or how?

Mr. VALENTINE. I do not recall; I think it was by homestead.

Mr. FERRIS. To homestead Indian lands they usually charge something in addition to the usual land-office fees, do they not? What is the annual maintenance expense on the land other than this 6,000 actually being watered?

Mr. HOLT. I do not know that I can answer that question directly, but I will state that in order to irrigate that 6,000 acres of land it is necessary to operate practically the entire system. The land is not all in one bunch, but is scattered over several miles—maybe 160 acres irrigated here and a mile and a half farther 160 acres more, and it may be that way all over the reservation, and it is necessary to have ditch riders, and to maintain and operate the entire system; and where the ditches are new, until the banks have been thoroughly saturated, the maintenance is always heavier than when the project is old and the banks thoroughly compacted.

Mr. FERRIS. Let me ask you further: I do not know whether you can give what I want, but as near as you can come at it, in this 6,000 acres that is actually enjoying irrigation, what portion of that that is under the ditch is Indian allotment and what portion of it is ceded lands subject to settlement?

Mr. HOLT. Practically 38,000 acres is Indian lands and 12,000 acres ceded land.

Mr. FERRIS. What is the form of entry under which that ceded land can be acquired, or is that in private ownership?

Mr. HOLT. That is all in private ownership, homesteaded.

Mr. FERRIS. Homesteaders are already in there?

Mr. HOLT. Yes, sir.

Mr. FERRIS. They are not getting water?

Mr. HOLT. They are getting water this last year for 3,090 acres, and practically the entire area is ready for water next year.

Mr. FERRIS. I was not asking you with reference to that 3,000 acres that is being irrigated. I was asking you with reference to surplus under the ditch, but as yet not actually receiving water.

Mr. HOLT. That is being cleared and made ready.

Mr. FERRIS. Homesteaders are in there clearing it up and getting ready to have water on it?

Mr. HOLT. Yes, sir.

Mr. FERRIS. Twelve thousand acres of it in that condition and 38,000 of it Indian allotments?

Mr. HOLT. Yes, sir.

Mr. FERRIS. These Indians have no trust funds?

Mr. HOLT. No trust funds.

Mr. FERRIS. Do you know what the value of their assets is?

Mr. HOLT. The cost of the project was to be reimbursed from the sale of water rights to the whites on the ceded portion of the reservation.

Mr. FERRIS. It will not be reimbursed very fast at the rate of \$1 an acre?

Mr. BURKE. That does not reimburse the funds; that is for maintenance. The theory was that this project—the surplus lands would be sold to reimburse the cost of the project, do you see? But instead of fixing the cost that was to be paid by private owners at the cost of construction, they put a limit on it of \$6 an acre, and consequently, if it cost \$14 an acre, the Government will be out of pocket \$8 on every acre.

Mr. VALENTINE. Mr. Chairman, it might be of use to the committee to have a copy of a special report made on this project by a special engineer whom I sent out there this year.

The CHAIRMAN. What is the length of the report?

Mr. VALENTINE. It is a short report—the report of W. H. Rosecrans on the Fort Hall project, made this fall. I will submit a copy to the committee to look at, in case they wish to insert it in the record. At any rate, it would be of value to have it referred to in the record at this point.

Mr. BURKE. On page 134 of memorandum submitted by the commissioner is a statement that \$735,000 have been appropriated and \$827,750.05 have been expended. Mr. Commissioner, will you clear that up, because it is hard to understand how more could be expended than has been appropriated. There is probably an explanation for it.

Mr. VALENTINE. There was an earlier expenditure on this, Mr. Burke, so that earlier expenditure was included.

Mr. HOLT. That was on different streams on the reservation. That was expended on the reservation, that \$735,000, on that particular project. There was the Ross Creek project and several other small projects.

Mr. BURKE. In excess of the appropriation of \$735,000 there has been nothing expended on this project?

Mr. HOLT. No; nothing expended on this project.

Mr. BURKE. According to this statement there is \$35,000 unexpended. You are asking for \$20,000 for maintenance this year.



Will it require the unexpended balance of the amount heretofore appropriated in addition to the \$20,000 to maintain this project until the end of the next fiscal year?

Mr. HOLT. The unexpended balance will be exhausted in the construction of small laterals to reach the various allotments and in maintaining the system up to that time. I might mention right here that the engineer in charge of that project, in looking over these items with me, said that this amount of \$20,000 should have been \$30,000 in order to carry the work on as it should be.

Mr. BURKE. Now, it happens that there is actually irrigated 2,700 acres of Indian land and 3,011 acres belonging to the whites. If none of it was actually irrigated at the present time, and this 5,700 acres was in the same condition that the balance of the 50,000 acres is, it would still require the same amount for maintenance that you estimate for it, would it not?

Mr. HOLT. It possibly might be a little less.

Mr. BURKE. Practically the same.

Mr. HOLT. There would be no ditch riders in that case, and consequently less cost.

Mr. BURKE. Practically the same.

The CHAIRMAN. The next item is:

For fulfilling treaty stipulations with the Bannocks in Idaho: For pay of physician, teacher, carpenter, miller, engineer, farmer, and blacksmith (article ten, treaty of July third, eighteen hundred and sixty-eight), five thousand dollars.

That calls for the same amount.

Mr. MERITT. That is a treaty provision, and I should like to submit a justification for this item, as follows:

*Support of Bannocks: Employees, Idaho.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$5,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated -----	5,000.00
Amount expended -----	4,314.99
Unexpended balance -----	685.01
Analysis of expenditures, employees-----	4,314.99

*FULFILLING TREATIES WITH THE BANNOCKS—AMOUNT ASKED FOR, \$5,000.*

This item is necessary in order that the Government may fulfill its obligation to those Indians as expressed in the treaty of July 3, 1868. This money is used for the payment of salaries of those appointed in accordance with the terms of said treaty.

The CHAIRMAN. The next item is:

For the Coeur d'Alenes, in Idaho: For pay of blacksmith, carpenter, and physician, and purchase of medicines (article eleven, agreement ratified March third, eighteen hundred and ninety-one), three thousand dollars.

That is the same amount.

Mr. MERITT. This is also a treaty item, and I should like to submit a justification for this item, as follows:

*Support of Coeur d'Alenes, Idaho.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$3,000.00
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## Fiscal year ended June 30, 1911:

Amount appropriated	3,000.00
Amount expended	2,740.48
Unexpended balance	259.52
Analysis of expenditures:	
Employees	2,703.00
Medical supplies	33.68
Stationery and miscellaneous	3.85
	2,740.48

[Memorandum.]

The United States, by articles of agreement approved March 3, 1891, obligated itself to provide certain employees and medicines, and in order to fulfill this agreement it will be necessary to provide the sum asked for.

The CHAIRMAN. The next item is—

## KANSAS.

SEC. 6. For support and education of seven hundred and fifty Indian pupils at the Indian school, Haskell Institute, Lawrence, Kansas, and for pay of superintendent, one hundred twenty-nine thousand seven hundred and fifty dollars; for general repairs and improvements, eleven thousand dollars; in all, one hundred forty thousand seven hundred and fifty dollars.

Mr. MERITT. I should like to submit a justification for this item, as follows:

*Indian school, Lawrence, Kans.*

Fiscal year ending June 30, 1912: Amount appropriated----- \$137,750.00

## Fiscal year ended June 30, 1911:

Amount appropriated	147,750.00
Amount expended	147,721.43
Unexpended balance	28.57

## Analysis of expenditures:

Employees	48,911.93
Repairs and improvements	8,908.21
Heat, light, and power	17,888.16
Subsistence	25,441.83
Dry goods, clothing, etc	18,642.97
Hardware, implements, etc	8,444.61
Furniture and household goods	2,998.29
Schoolroom supplies	1,463.07
Medical supplies	524.34
Live stock	2,675.38
Forage	1,316.45
Transportation of pupils	8,343.45
Traveling expenses	373.46
Telephoning	270.00
Stationery and office supplies	1,265.72
Miscellaneous	253.56
	147,721.43

There was also an appropriation of \$10,000 for drainage, \$950.14 of which was used for such purpose during the fiscal year 1911.

*Indian school, Haskell Institute, Lawrence, Kans., 1913.*

Support, education, etc	\$129,750.00
Repairs and improvements	11,000.00
Total	140,750.00

Total value of school plant.....	\$451, 067. 00
Capacity of school.....	750
Enrollment.....	856
Average attendance.....	676
Number of employees.....	76
Total salaries.....	\$52, 220. 00

## Appropriation, 1911:

Support, education, etc.....	137, 750. 00
Drainage.....	10, 000. 00
General repairs and improvements.....	10, 000. 00
Total.....	157, 750. 00

## Expenditures, 1911:

Administration.....	2, 100. 00
Operation.....	137, 663. 36
Plant.....	8, 908. 21
Total.....	148, 671. 57

Cost per capita, exclusive of repairs and improvements to plant and new construction, \$164.44.

## Appropriation, 1912:

Support, education, etc.....	127, 750. 00
Repairs and improvements.....	10, 000. 00
Total.....	137, 750. 00

## Superintendent's estimates for 1913:

Absolute necessities.....	137, 970. 00
Urgent needs.....	21, 500. 00
Total.....	159, 470. 00

Haskell has special courses in business and industry. It has been filled to its capacity, and the work has been efficient at a reasonable cost per capita.

The superintendent has conservatively estimated:

For general repairs.....	\$10, 000
Repairs to water system.....	500
Repairs to sewer system.....	250

This school has 72 buildings of a total valuation, including water, lighting, and sewer systems, of approximately \$290,000, and the amount asked for repairs—\$11,000—will provide the low estimate of 3.8 per cent for upkeep, from which it seems evident that the amount requested is barely sufficient to maintain this plant in a state of reasonable efficiency.

The increase of \$2,000 for support over the amount appropriated for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

Mr. MERRITT. This is one of the large nonreservation schools located at Lawrence, Kans., and it is one of the best nonreservation schools in the service.

The CHAIRMAN. Why is this increase of \$2,250 asked for? I believe it is for the superintendent.

Mr. MERRITT. That is for the support fund of the school. We are asking an increase from \$27,000 to \$29,000 for the support fund, and an increase for repairs and improvements from \$10,000 to \$11,000. That is in line with the action requesting increases for all the specifically provided for schools in order to increase the salaries of those employees who are not receiving adequate salaries now. It amounts to only \$2,000 for increase in salaries, and the increase for repairs is

only \$1,000. There is only an increase of \$3,000 asked for this school.

The CHAIRMAN. Why is it necessary to carry in every bill this language, "For general repairs and improvements, eleven thousand dollars"—more than it was under the last appropriation. Do they never get through improving and repairing those buildings?

Mr. MERITT. This is a large school. I think they have about 70 buildings on the campus, and it requires a considerable amount of money to keep those buildings in repair.

Mr. BURKE. I notice, Mr. Meritt, that the analysis of expenditures for this school shows \$48,911.93 expended for employees, and the analysis of the expenditures for the school at Phoenix, Ariz., \$45,527.71—about \$3,500 less, and with practically the same average attendance. Can you give us any information of why it costs more for employees at one than at the other?

Mr. MERITT. The conditions of climate would amount to something. It would cost more to live, I should think, in Kansas than in Arizona.

Mr. BURKE. You mean that the salaries paid to employees are probably larger?

Mr. MERITT. Yes, sir.

Mr. BURKE. And no greater number of employees?

Mr. MERITT. I would not be surprised if we had more employees at Haskell than at Phoenix.

Mr. BURKE. Has the Haskell School at Lawrence a farm in connection with it?

Mr. MERITT. Yes, sir.

Mr. BURKE. How much of a farm.

Mr. MERITT. I do not know the exact acreage. I should say 200 acres.

Mr. BURKE. It is productive land, I presume?

Mr. MERITT. Yes; they raise a good deal of feed for the horses and cattle and grow vegetables for use at the school.

Mr. BURKE. What about Phoenix? Have they a farm in connection with the school there?

Mr. MERITT. They have.

Mr. BURKE. Is it irrigated?

Mr. MERITT. I think it is irrigated; yes, sir.

Mr. BURKE. In these Indian schools that have a farm—and most of them have—that ought, it seems to me, reduce somewhat the expense of running them. In other words, they ought gradually to become self-supporting. For instance, at this school I presume they have a herd of cattle, have they not?

Mr. MERITT. Yes, sir.

Mr. BURKE. And they get their milk and their butter?

Mr. MERITT. Yes, sir.

Mr. BURKE. And they probably have their own eggs?

Mr. MERITT. They have chickens.

Mr. BURKE. They probably raise much in the way of potatoes and vegetables that are used in the school and feed for horses, etc., and as I understand it that is used by the institution without really any accounting, is it not?

Mr. MERITT. Yes, sir.

Mr. BURKE. That is, it does not go through the accounting officers of the Treasury Department?

Mr. MERITT. No, sir.

The CHAIRMAN. Is there a statement anywhere showing the value of the products raised in industrial schools or what is done with the proceeds?

Mr. MERITT. The superintendent keeps track of the products that are used or sold.

The CHAIRMAN. But those that are used are not estimated on at all, are they?

Mr. MERITT. They keep track of what they produce, but it does not go into the permanent accounts of the Indian Office.

The CHAIRMAN. Would that not reduce the amount of the expenses where they are almost self-supporting; for instance, as Mr. Burke has stated, where they raise a great deal of what they would otherwise have to buy?

Mr. MERITT. It does reduce the amount. If we did not have those farms to fall back on, the cost per capita would be much larger.

The CHAIRMAN. The next item is:

For support and education of eighty Indian pupils at the Indian school, Kickapoo Reservation, Kansas, and for pay of superintendent, sixteen thousand three hundred and sixty dollars; for general repairs and improvements, four thousand dollars; in all, twenty thousand three hundred and sixty dollars.

Mr. MERITT. I should like to submit a justification for this item, as follows:

*Indian school, Kickapoo Reservation, Kans.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$17,860.00
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Fiscal year ended June 30, 1911:

Amount appropriated-----	17,860.00
Amount expended-----	17,488.41

Unexpended balance-----	371.59
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Analysis of expenditures:

Employees-----	7,920.10
Construction, labor, and material-----	941.25
Repairs and improvements-----	2,017.20
Heat, light, and power-----	902.73
Subsistence-----	2,208.32
Dry goods, clothing, etc-----	2,040.88
Hardware, implements, etc-----	227.59
Furniture and household goods-----	917.26
Schoolroom supplies-----	88.23
Medical supplies-----	74.26
Telephoning-----	54.50
Stationery and office supplies-----	45.26
Miscellaneous-----	55.83

17,488.41

*Indian school, Kickapoo, Kans., 1913.*

Support, education, etc-----	\$16,360.00
Repairs and improvements-----	4,000.00

Total-----	20,360.00
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Total value of school plant.....	\$55, 416. 96
Capacity of school.....	71
Enrollment.....	74
Average attendance.....	69
Number of employees.....	13
Total salaries.....	\$8, 410. 00

## Appropriation, 1911:

Support, education, etc.....	\$14, 860. 00
General repairs and improvements.....	2, 000. 00
New buildings.....	1, 000. 00
Total.....	17, 860. 00

## Expenditures, 1911:

Administration.....	1, 350. 00
Operation.....	13, 179. 96
Plant.....	2, 958. 45
Total.....	17, 488. 41

Cost per capita, exclusive of repairs and improvements to plant and new construction.....	196. 33
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## Appropriation, 1912:

Support, education, etc.....	14, 860. 00
Repairs and improvements.....	3, 000. 00
Total.....	17, 860. 00

## Superintendent's estimates for 1913:

Absolute necessities.....	19, 010. 00
Urgent needs.....	2, 200. 00
Total.....	21, 210. 00

Kickapoo has been filled to its capacity and the work has been efficient at a reasonable cost per capita.

The additional amount of \$1,500 for support over the appropriation for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

The increase of \$1,000 for repairs and improvements is required in order to bring the school plant up to a state of efficiency which will permit the service to accomplish good work and obtain successful results.

Mr. BURKE. The same explanation prevails as to the increase there as applied to the others, does it not?

Mr. FERRIS. Other than one thing. Does it not suggest itself to the committee and to you, Mr. Meritt, that to carry a provision every year for \$4,000 for general repairs and improvements is a little high? It seems to me that a school educating 80 pupils ought not to expend that amount every year, and to carry right along in the law every year \$4,000 for repairs.

Mr. BURKE. As a general proposition, the Government does not spend enough in improving its buildings. As the buildings get older it takes more money to keep them in repair.

Mr. FERRIS. But there are only 80 pupils there.

Mr. MERITT. The cost for upkeep in the Indian Service is less than 4 per cent, and the average cost in the commercial world is anywhere from 5 to 8 per cent, so we are keeping the cost of repairs and improvements down below the average cost.

Mr. BURKE. Mr. Meritt, the last Indian appropriation bill required the Secretary of the Interior to submit to Congress a report showing the cost, investment, etc., in school and agency properties entitled to

share in appropriations, general or specific, made by the Indian appropriation act approved March 3, 1911. Has that information been furnished?

Mr. MERITT. You will find that information in document No. 209, Sixty-second Congress, second session.

The CHAIRMAN. The next item is:

For fulfilling treaties with the Sacs and Foxes of the Missouri: For support of a school (article five, treaty of March sixth, eighteen hundred and sixty-one), two hundred dollars.

That is the same amount.

Mr. MERITT. That is a treaty item, and I should like to submit a justification for it, as follows:

*Support of Sacs and Foxes of the Missouri, Kansas.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$200. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	200. 00
Amount expended-----	200. 00
Analysis of expenditures, employees-----	200. 00
Amount asked for-----	200. 00

The item requested, calling for an appropriation of \$200, is in accordance with a treaty provision with the Sacs and Foxes of the Missouri, article 5, treaty of March 6, 1861, and therefore should be provided for in the appropriation bill.

KANSAS INDIANS.

This appropriation is in accordance with the terms of the treaty with the Sacs and Foxes of Missouri, and the money appropriated thereunder is used in the payment of part of the salary of a teacher in the Sac and Fox School, \$200.

Support of Sacs and Foxes of the Missouri, Kans-----	\$200. 00
Fiscal year ending June 30, 1911, amount appropriated-----	200. 00
Fiscal year ended June 30, 1910:	
Amount appropriated-----	200. 00
Amount expended-----	200. 00
Analysis of expenditures, employees-----	200. 00
Total value of school plant-----	\$1, 500. 00
School population-----	45
Capacity of school-----	40
Enrollment-----	31
Average attendance-----	23
Number of employees-----	1
Total salaries-----	\$600. 00

It was necessary to use \$400 additional from the fund "Indian schools, support," to pay teacher's salary.

The CHAIRMAN. The next item is:

MICHIGAN.

SEC. 7. For support and education of three hundred Indian pupils at the Indian school, Mount Pleasant, Michigan, and for pay of superintendent, fifty-three thousand three hundred dollars; for general repairs and improvements, six thousand dollars; in all, fifty-nine thousand three hundred dollars.

Mr. MERITT. In support of that item, I should like to submit a justification, as follows:

*Indian School, Mount Pleasant, Mich.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$60, 800. 00
Also \$15,000 for buildings in the appropriation act for 1912.	

## Fiscal year ended June 30, 1911:

Amount appropriated .....	\$61, 800. 00
Amount expended .....	60, 617. 07
Unexpended balance .....	<u>1, 182. 93</u>

## Analysis of expenditures:

Employees .....	21, 755. 19
Construction, labor, and material .....	3, 912. 69
Repairs and improvements .....	4, 198. 67
Heat, light, and power .....	6, 449. 99
Subsistence .....	11, 376. 71
Dry goods, clothing, etc. ....	8, 448. 20
Hardware, implements, etc. ....	1, 589. 34
Furniture and household goods .....	1, 397. 14
Schoolroom supplies .....	142. 54
Medical supplies .....	237. 90
Forage .....	817. 41
Traveling expenses .....	27. 80
Telephoning .....	55. 83
Stationery .....	48. 56
Miscellaneous .....	161. 10
	<u>60, 617. 07</u>

Support, education, etc. ....	53, 300. 00
Repairs and improvements .....	6, 000. 00
Total .....	<u>59, 300. 00</u>

Total value of school plant .....	\$169, 314
Capacity of school .....	250
Enrollment .....	304
Attendance, average .....	283
Number of employees .....	35
Total salaries .....	\$21, 665
Appropriation, 1911:	

Support, education, etc. ....	\$51, 800. 00
New office building .....	3, 000. 00
General repairs and improvements .....	7, 000. 00
Total .....	<u>61, 800. 00</u>

## Expenditures, 1911:

Administration .....	1, 725. 00
Operation .....	50, 780. 71
Plant .....	8, 111. 36
Total .....	<u>60, 617. 07</u>

Cost per capita, exclusive of repairs and improvements to plant and new construction, \$172.71.

## Appropriation, 1912:

Support, education, etc. ....	51, 800. 00
New lavatory .....	4, 000. 00
New dormitory .....	15, 000. 00
Repairs and improvements .....	5, 000. 00
Total .....	<u>75, 000. 00</u>

Superintendent's estimates or 1913, absolute necessities .....	64, 150. 00
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This school is so situated as to be accessible to a large number of Indian children in need of school facilities; it is well organized into departments, is well equipped to give proper training to pupils along literary and industrial



lines, and is under competent supervision. The present capacity of the school is to be greatly increased at once, as soon as the new dormitory provided in the act of March 3, 1911, can be erected. This school will be an absolute need to the Indian Service for several years to come, and at least 300 pupils should be provided for for 1913. The additional amount of \$1,500 for support and education of pupils over the appropriation for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

The sum proposed for repairs and improvements is reasonable, considering the size and extent of the school and the present value of its plant. The increase of \$1,000 is required in order to bring the school plant up to a state of efficiency which will permit the service to accomplish good work and obtain satisfactory results.

The CHAIRMAN. We will first hear from Mr. Dodds this morning.

**STATEMENT OF HON. F. H. DODDS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN.**

Mr. Dodds. We have in the State of Michigan about 1,400 Indian children of school age. These children are in the homes of the very poorest kind, and they are in homes which unfit them for attendance at the State schools. Now, they are neither clothed nor housed properly in order to enable them to come from their homes and associate in the common schools where they are in contact with white children. The school at Mount Pleasant has been taking care of substantially 300 of those pupils, and they have a capacity for a little less than 300, as they are now situated. Under the order of the department, I understand we can only have one pupil for each 500 cubic feet of dormitory space, and we have a capacity of less than 300 under that ruling. With the dormitory ordered last year, and which will be constructed before the beginning of the next school year, we will have a capacity for 325 pupils. What we ask is that your bill be so amended that it will read, for the support and education of 325 Indian pupils, and that the amount shall be \$56,275, instead of \$53,300.

The CHAIRMAN. What is the amount you want?

Mr. Dodds. \$56,275, instead of \$53,300. With that raise we can take care of 325 pupils, instead of what we have now.

The CHAIRMAN. That is, you add on 25 pupils?

Mr. Dodds. Yes; making it 325.

The CHAIRMAN. Have you any estimate there showing what it costs per pupil?

Mr. Dodds. I have not, but the books will show.

The CHAIRMAN. I see last year you had for new lavatories, \$4,000, and new dormitory, \$15,000. Are they completed?

Mr. Dodds. They will be, I expect, before the beginning of the next school year. I understand the work is going forward as rapidly as possible.

The CHAIRMAN. Will they be sufficient to accommodate the 25 additional pupils you ask for?

Mr. Dodds. Yes, sir.

The CHAIRMAN. Are these pupils to be girls or boys, or both?

Mr. Dodds. They are to be mixed, as may be found necessary.

The CHAIRMAN. You have separate dormitories for the boys and girls in these schools?

Mr. Dodds. Yes.

The CHAIRMAN. Is the new dormitory for girls or boys?

Mr. DODDS. For small boys. It was constructed for the purpose of segregating the boys, keeping the small boys together.

The CHAIRMAN. How far is it from this school to the nearest Indian reservation?

Mr. DODDS. It is at the reservation. Most of the Indians there hold their lands under competent patent. There are some of them who have disposed of their land. There were competent patents issued in 1871 and 1872, at a time before the Government saw the necessity of issuing patents, and some of the Indians disposed of their lands and got rid of them and they have been destitute ever since.

The CHAIRMAN. After they had disposed of the lands they became citizens of the State?

Mr. DODDS. Yes, sir.

The CHAIRMAN. The children have been going to the public schools?

Mr. DODDS. Those who have been going to school; most of them do not go at all.

The CHAIRMAN. Most of the parents are citizens?

Mr. DODDS. Yes. The Government had charge of the matters and took their lands under their control, and made the regulations whereby they could dispose of them, and some of them did dispose of them, and then they became paupers.

The CHAIRMAN. Mr. Dodds, as a matter of general information, do you find any trouble in mixing the white pupils with the Indian? Is there any objection on the part of the whites?

Mr. DODDS. Yes; there is objection; because, as I said before, they are not in good condition, coming from their homes, to associate with the whites.

The CHAIRMAN. Have they schools of their own, taught by Government employees?

Mr. DODDS. No; there is no Indian school in Michigan, except this school at Mount Pleasant and the religious school at Travers City, or Travers Springs, it is now called. There is no other school any place in the State that takes charge of the Indians at all. This school at Travers City is a Catholic school that takes a few.

The CHAIRMAN. About how many Indians are there there?

Mr. DODDS. I would not be able to state, exactly, but there are several thousands. The Indian pupils in the State of school age number about 1,400.

The CHAIRMAN. Do any of them go to Carlisle?

Mr. DODDS. Some of them. Some of them are there now. Some of them are in Wisconsin, and some others in the Southwest, in Kansas and Oklahoma, I understand. I have introduced a bill for the purpose of obtaining a manual training building and a gymnasium there. Of course, the school is located in a place where the weather is so cold in the winter time that there is no place where the children can play except as they go outdoors, and we have no place where the manual training work of the school can be carried on as it should be.

The CHAIRMAN. What is the additional amount asked for in that?

Mr. DODDS. \$25,000. I introduced a bill two years ago for a gymnasium, and that is what we ask for at this time. We are in great need of this building.

The CHAIRMAN. It makes a difference of \$27,275.

Mr. DODDS. Yes. Taking into consideration the building, all I care to say further, gentlemen, is that the school needs—with this additional general appropriation we can take care of these 25 extra pupils that need to be cared for, and that will probably be taken out of the State if it is not given us, and we ask for this manual training building and a gymnasium for the purposes named, because we are in great need of that sort of a building for those purposes.

The CHAIRMAN. Has it a manual training school at present?

Mr. DODDS. It has an industrial school. The intention is to educate the children, all the pupils, so that when they go out they will have some trade at which they can earn their living and take care of themselves. It seems to me that that kind of training and a place in which the training can be carried on should be one of the very first things provided for that school.

The CHAIRMAN. Have you any additional land there for farming purposes outside the land the buildings are on?

Mr. DODDS. We have a half section of land in connection with the school.

The CHAIRMAN. How much of that is covered with buildings?

Mr. DODDS. Just a little bit. It is nearly all farming and wood land.

The CHAIRMAN. You do not cultivate any kind of crop?

Mr. DODDS. Yes; all of the crops that are usually grown in Michigan are raised on the farm.

The CHAIRMAN. Cultivated by the Indians?

Mr. DODDS. Cultivated by the Indians. The work is done by the Indians.

The CHAIRMAN. Do you keep cows?

Mr. DODDS. Yes; we keep cows.

The CHAIRMAN. Horses, and so forth?

Mr. DODDS. Yes; and all things that are used generally upon the farm.

Mr. BURKE. How close to town is this?

Mr. DODDS. It is within—it joins on the corporation, the land does. It is right by the town. I think the commissioner understands all about this school and our needs there.

Mr. BURKE. Yes; we will ascertain from him whatever is necessary.

The CHAIRMAN. Have you any additional statements to make in reference to this school and the enlargement of its capacity by 25 students, with an addition of about \$27,000, as to the advisability of that kind of an amendment?

Commissioner VALENTINE. I have nothing further to submit officially, because I would not want to state anything not in our estimates. I can only say that if Congress can see its way to give these things, they will be a most valuable aid to the school.

Mr. BURKE. What do you say about the additional attendance?

Commissioner VALENTINE. I think that it is desirable, too.

Mr. BURKE. Do you think the building is sufficiently large so that you could house them and follow the requirement as to the amount of cubic feet of air?

Commissioner VALENTINE. Yes, sir; when that new dormitory is finished.

Mr. BURKE. That will be finished within the coming year, will it not?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. There are plenty of Indian children up there.

Commissioner VALENTINE. 1,400 children in Michigan; and Michigan has somewhere around 10,000 Indians scattered through the State.

Mr. BURKE. What is the status of those Michigan Indians?

Commissioner VALENTINE. Mr. Dodds has described them very accurately. As a rule, they have lost their lands, and they are in a pretty backward state. There is no race prejudice. One objection on the part of the other people in the public schools is that the children are not clean enough. We are making a thorough canvass and doing everything to get the children into the public schools, and even this proposed addition would not begin to take care of the children that should be provided for in these schools.

Mr. BURKE. Are these Indians mostly in the unsettled portions of Michigan, and do they live generally among white people?

Commissioner VALENTINE. I suppose you would find more in the unsettled parts. There is another reservation in southern Michigan, and they are scattered throughout the State.

Mr. BURKE. Commissioner Valentine, the other day we had some discussion with reference to the difference in the per capita cost of Indian schools, and I believe you stated you would look into it and endeavor to explain why it costs so much more in one school than at another where the conditions appear to be the same.

Commissioner VALENTINE. I do not know that I could give you anything of value.

Mr. BURKE. I did not know but that an inquiry would disclose that there were some errors in the keeping of accounts that might explain it. Is it not a fact that in some instances you paid transportation out of the general appropriation, and may that not have been done in some instances and not have been charged to the school, affecting the cost?

Commissioner VALENTINE. I think the transportation has been paid only in the cases of Haskell and Carlisle in the past. In all other cases the general transportation fund has been used.

Mr. BURKE. My attention is called to it in looking at this statement, which is contained in House Document No. 209, Sixty-second Congress, second session, under the Michigan Mount Pleasant school:

Products derived from operation of plants during the fiscal year 1911: Total products derived, market value, \$17,220.90; value of products consumed, \$16,914.65; value of products sold, \$306.32.

Now, that would indicate that that school had received the amount stated, \$17,220.97, most of which was consumed; and if that was sold, I presume the proceeds were used, and it would seem as if that ought to make the cost of maintaining that school less. While it is not one of the maximum schools, it is about the average, \$172.71, and there ought to be some explanation.

Commissioner VALENTINE. I think the reason for that, Mr. Burke, is that the food has greatly improved, and it is largely made up of this item of products made on the farm, and also work done by the girls in sewing, who make their own dresses and things of that sort, so that the effect of this has gone into furnishing better nutrition for the children.

The CHAIRMAN. I see last year you put in \$4,000 for lavatory, and for new dormitory \$15,000. Before that it had been accommodating 300 pupils. Last year it accommodated 300 pupils. These buildings are not completed yet. Why would this not be sufficient for the 25 extra pupils?

The CHAIRMAN. The next item is:

## MINNESOTA.

SEC. 8. For support and education of two hundred and twenty-five Indian pupils at the Indian school, Pipestone, Minnesota, and for pay of superintendent, forty thousand six hundred and seventy-five dollars; for general repairs and improvements, three thousand five hundred dollars; in all, forty-four thousand one hundred and seventy-five dollars.

Mr. MERITT. This item is a small increase over the amount requested for last year, and in support of it I should like to submit a justification, as follows:

*Indian school, Pipestone, Minn.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$41, 675. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	41, 675. 00
Amount expended-----	38, 240. 85
Unexpended balance-----	3, 434. 15
Analysis of expenditures:	
Employees-----	14, 483. 27
Repairs and improvements-----	1, 752. 75
Heat, light, and power-----	4, 810. 07
Subsistence-----	7, 283. 13
Dry goods, clothing, etc-----	6, 358. 34
Hardware, implements, etc-----	1, 700. 46
Furniture and household goods-----	748. 55
School-room supplies-----	250. 20
Medical supplies-----	337. 61
Forage-----	10. 40
Traveling expenses-----	17. 35
Telephoning-----	40. 00
Stationery and office supplies-----	184. 84
Miscellaneous-----	263. 88
	38, 240. 85
Support, education, etc-----	\$40, 675. 00
Repairs and improvements-----	3, 500. 00
Total-----	44, 175. 00
Total value of school plant-----	174, 660. 00
Capacity of school-----	212
Enrollment-----	193
Average attendance-----	187
Number of employees-----	23
Total salaries-----	\$14, 610. 00
Appropriation, 1911:	
Support, education, etc-----	39, 175. 00
General repairs and improvements-----	2, 500. 00
Total-----	41, 675. 00

<b>Expenditures, 1911:</b>	
Administration .....	\$1, 650. 00
Operation .....	34, 838. 10
Plant .....	1, 752. 75
<b>Total .....</b>	<b>38, 240. 85</b>

Cost per capita, exclusive of repairs and improvements to plant and new construction, \$189.05.

<b>Appropriation, 1912:</b>	
Support, education, etc.....	39, 175. 00
Repairs and improvements.....	2, 500. 00
<b>Total .....</b>	<b>41, 675. 00</b>

Superintendent's estimates for 1913, absolute necessities..... 43, 275. 00

#### PIPESTONE SCHOOL.

This school has no special needs this year, but its success in the past, coupled with the fact that it can not yet be spared from the Indian Service, should be a guaranty of continuance for a number of years to come. It is accessible to a large number of pupils needing school facilities and is equipped, organized, and manned to handle properly the number herein estimated for. The additional amount of \$1,500 for support and education over the appropriation for the fiscal year 1912 is required, in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

The amount proposed for repairs and improvement is decidedly reasonable—only 3½ per cent of the estimated present value of the plant—and will all be required to keep the plant in good repair and operation for the year. The increase of \$1,000 for this purpose is needed to bring the school plant up to a state of efficiency which will permit the service to accomplish good work and obtain satisfactory results.

The CHAIRMAN. The next item is:

For support of a school or schools for the Chippewas of the Mississippi in Minnesota (article three, treaty of March nineteenth, eighteen hundred and sixty-seven), four thousand dollars.

Mr. MERITT. That is a treaty item, and I should like to submit a justification in support of it, as follows:

#### *Support of Chippewas of Mississippi, Minnesota.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$4, 000. 00
<b>Fiscal year ended June 30, 1911:</b>	
Amount appropriated.....	4, 000. 00
Amount expended.....	4, 000. 00
Analysis of expenditures: Employees.....	4, 000. 00
For support of a school or schools for the Chippewas of the Mississippi, in Minnesota (art. 3, treaty of Mar. 19, 1867).....	4, 000. 00

This appropriation has been and is to be used at the White Earth Boarding School, Minn. The data regarding this school are as follows:

Total value of school plant.....	\$52, 042. 75
Capacity of school.....	103
Enrollment.....	196
Average attendance.....	181
Number of employees.....	18
Total salaries.....	\$12, 320. 00
Appropriation, 1911: As above.....	\$4, 000. 00

**Expenditures, 1911:**

Administration (superintendent's salary)-----	\$2, 100. 00
Operation (salaries of carpenter, shoe and harness maker, and engineer)-----	1, 800. 00
<b>Total</b> -----	<b>4, 000. 00</b>

Appropriation, 1912: As above----- 4, 000. 00

Superintendent's estimates for 1913: Absolute necessities----- 4, 000. 00

The foregoing item is in accordance with a provision of the treaty of March 19, 1867, and is being used for the salaries indicated above, the remaining items of expense being payable from other funds under the direction of the office.

The CHAIRMAN. The next item is:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of one hundred and eighty-five thousand dollars, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section seven of the act of January fourteenth, eighteen hundred and eighty-nine, entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to use the same for the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act.

Mr. MERITT. This item appropriates moneys belonging to the Chippewas of Minnesota for administrative purposes.

The CHAIRMAN. I notice there is an increase here of \$20,000.

Mr. MERITT. In support of the item and the increase I should like to submit a justification, as follows:

**RELIEF AND CIVILIZATION OF CHIPPEWAS IN MINNESOTA.**

Amount asked for, \$185,000.

The act (January 14, 1889) referred to in this item provides among other things that after the principal sum accruing to the credit of the Chippewa Indians thereunder from the sale of Chippewa timber lands should exceed the sum of \$3,000,000, the United States shall be reimbursed out of the proceeds accruing therefrom for all amounts advanced for the support and education of the Chippewa Indians, and inasmuch as the balance of the funds to the credit of these Indians on June 30, 1911, received from the sale of Chippewa timber and timbered lands amounts to about \$4,000,000, it would appear that no further appropriation should be made for them.

With this vast sum on hand and additional funds being placed to the credit of the Indians, they are in a position to provide funds for their own support and civilization. There are about 11,000 Indians in Minnesota and 6 superintendencies. On account of the vast interests of the Indians in land and timber which demand protection it is absolutely necessary to provide sufficient funds out of these Indians' moneys to properly administer their affairs, safeguard their interests, promote their civilization, and place them eventually on a self-supporting basis.

The necessity for additional school facilities, including employees, as well as increase in cost of supplies, etc., makes the increase asked for over 1912 essential to the proper administration of the affairs of these Indians.

Mr. BURKE. This item is simply directing the Secretary of the Interior to withdraw from the Treasury, from the moneys to the credit of these Indians, this sum of money, and expend it?

Mr. MERITT. Yes, sir; they have a large amount to their credit, more than \$4,000,000.

Mr. BURKE. And I think the Treasury has now been reimbursed as the law contemplated—it had not been two or three years ago—so that the balance belongs to them?

Mr. MERITT. Yes, sir.

Mr. FERRIS. What is the method of reimbursing the trust funds that are withdrawn as provided in this section? Do you pay that out by the per capita method; or, what is the method of distributing their moneys?

Mr. MERITT. No, sir; when the Indian tribes have large amounts to their credit the policy is to require the Indians to pay the cost of administration.

Mr. FERRIS. One hundred and eighty-five thousand dollars is not required annually to administer the affairs of the Chippewas, is it?

Mr. MERITT. Yes, sir; that includes all the Chippewa Indians—6 superintendencies and including about 11,000 Indians.

Mr. FERRIS. Is there any occasion for 6 superintendencies for 11,000 Indians?

Mr. MERITT. Yes, sir; they are scattered over different portions of Minnesota.

Mr. FERRIS. How far apart are those agencies?

Mr. MERITT. I should say a considerable distance—from 50 to 100 miles.

Mr. FERRIS. If we withdraw \$185,000 a year for administrative purposes and they have \$4,000,000 to their credit, in 20 years they will have nothing to their credit, it being devoured for administrative purposes. Is not that so?

Mr. MERITT. The interest will more than cover the cost of administration; besides they are adding to those funds all the time from the sale of timber.

Mr. FERRIS. What is done with the interest under existing law? Is that paid out to them, or does that go into the trust fund?

Mr. MERITT. That is paid out in per capita payments.

Mr. FERRIS. Would it not be wiser to use the interest for administrative purposes than to withdraw from their trust funds, their principal sum, for administrative purposes?

Mr. MERITT. The Indians would protest against that very seriously, because they look forward to receiving these per capita payments on their interest funds.

Mr. FERRIS. I suppose it does not make any great difference whether you pay it from the interest or the trust funds, so long as it comes out of their money, but it seems to me that 6 agencies for 11,000 Indians and \$185,000 annually for administrative purposes is eating up their estate pretty rapidly. How far apart are those agencies?

Mr. MERITT. I have a map here showing the State and the different agencies. I have not figured out the exact distances. Here [indicating] is the White Earth Agency and the Red Lake Agency.

Mr. FERRIS. They seemed to be jammed up against each other almost.

Mr. MERITT. It must be 50 miles from White Earth to Red Lake. This is a very small map, and is a map of the entire United States. The agencies are scattered over the different portions of the State.

The CHAIRMAN. In the administration of these affairs is the clerk hire estimated as part of the amount to be taken out of this \$185,000?

Mr. MERITT. Yes, sir; the salaries of the superintendent, clerk hire, the salaries of the school teachers, and all the salaries connected with the administration of the affairs of those Indians.



The CHAIRMAN. If you have the school teachers included, why do you include them with the support item? Does not that include all the school teachers on these reservations?

Mr. MERITT. As I understand it, this item covers the administrative expenses connected with the Minnesota Indians.

The CHAIRMAN. The next item is:

The Secretary of the Interior is hereby authorized to advance to the executive committee of the White Earth Band of Chippewa Indians in Minnesota, under such regulations as he may prescribe, the sum of one thousand dollars, or so much thereof as may be necessary, to be expended in the annual celebration of said band to be held June fourteenth, nineteen hundred and twelve, out of the funds belonging to said band.

Mr. MERITT. In support of that item, I should like to submit a justification, as follows:

It appears that Congress has appropriated, for several years, the sum of \$1,000 to defray the expenses of an annual celebration of the White Earth Indians. Apparently it has been the intention of Congress to leave the manner in which this money shall be expended to an executive committee of the White Earth Indians, that committee making the expenditures and assuming the responsibility therefor. This executive committee is selected by the tribal council, composed of the chiefs and head men of the different bands of Indians, who usually assemble in a large tent on the celebration grounds for the purpose of considering the matter of expending the money.

Mr. MERITT. This is the first year that we have submitted this item in our estimates. Heretofore it has always been included in the Indian appropriation bill by amendment. We are asking for this item this year and changing the law by adding the words, "under such regulations as the Secretary of the Interior may prescribe." It is said that this appropriation has been used in a way that is not satisfactory to all the members of the tribe, and we wish to get the appropriation under the control and direction of the Secretary of the Interior, so that no complaint can be made because of the manner of its expenditure.

Mr. BURKE. Ought it not to be expended as suggested in this justification?

Mr. MERITT. Yes, sir.

Mr. BURKE. That is, by the Indians?

Mr. MERITT. Under the control of the Secretary of the Interior.

Mr. BURKE. Yes; but let them determine how. Would not these words give the Secretary of the Interior arbitrary power to expend it and give it to a clique or a faction of the tribe rather than to pay it over to an executive committee that the tribe itself might select?

Mr. MERITT. That is exactly what we are trying to avoid. It is claimed that a faction has gotten hold of this appropriation and have used it in a way that is not satisfactory to the members of the tribe.

The CHAIRMAN. Could you not expend it in the way of an agricultural fair, if we must spend the money? I would rather spend it along some educational way, rather than let them control it in that way. What do you think about that, Mr. Burke?

Mr. BURKE. It is their own matter and their own money and it is a small amount.

The CHAIRMAN. Have they asked for it?

Mr. BURKE. Yes; they have asked for it. As Mr. Meritt said, it has gone in heretofore by an amendment. Somebody from Minnesota

had it put in. My notion is it ought to be paid to them, and not used as an inducement to get the Indians to perhaps do or not do something, as it is alleged has been the case. This authorizes the money to be paid to the executive committee of the White Earth Indians in Minnesota, and it ought to be an easy matter to determine whom that executive committee is composed of, and the Secretary of the Interior ought not to be permitted to pay it to somebody else that he might select.

Mr. MERITT. The idea of putting those words in the estimates is simply to require a report to be made as to the manner of expending this money and keeping a check on it in this way.

The CHAIRMAN. The next item is:

#### MONTANA.

SEC. 9. For support and civilization of the Indians at Fort Belknap Agency, Montana, including pay of employees, fifteen thousand dollars.

That is the same amount as asked for last year.

Mr. MERITT. In support of this item, I should like to submit a justification as follows:

#### *Support of Indians of Fort Belknap Agency, Mont.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$15,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated -----	20,000. 00
Amount expended -----	19,757. 66
Unexpended balance -----	242. 34
<hr/>	
Analysis of expenditures:	
Employees -----	11,223. 94
Heat, light, and power -----	140. 00
Subsistence -----	6,737. 79
Hardware, implements, etc -----	1,293. 58
Furniture and household goods -----	91. 20
Medical supplies -----	223. 72
Forage -----	30. 30
Stationery and office supplies -----	17. 13
Total -----	19,757. 66

#### SUPPORT OF INDIANS OF FORT BELKNAP AGENCY.

Amount asked for, \$15,000.

Of the amount estimated over \$8,000 is used for the payment of salaries of clerical help necessary to properly administer the affairs of these Indians. There are 1,000 Indians on this reservation. The agency being located in an exceedingly cold climate, it is necessary to expend a large part of this fund to provide the Indians with subsistence for their maintenance during the winter.

The CHAIRMAN. The next item is:

For support and civilization of Indians at Flathead Agency, Montana, including pay of employees, nine thousand dollars.

Mr. MERITT. I should like to submit a justification in support of this item, as follows:

*Support of Indians of Flathead Agency, Mont.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$9,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	9,000.00
Amount expended-----	8,931.15
Unexpended balance-----	68.85
Analysis of expenditures:	
Employees-----	5,482.17
Subsistence-----	1,083.51
Dry goods, clothing, etc-----	2.03
Hardware, implements, etc-----	492.09
Furniture and household goods-----	137.34
Medical supplies-----	264.82
Forage-----	1,440.39
Stationery and office supplies-----	28.80
Total-----	8,931.15

## SUPPORT AND CIVILIZATION OF INDIANS AT FLATHEAD.

Amount asked for, \$9,000.

At the Flathead Agency there are over 2,000 Indians, and besides providing fuel and light for the agency quarters, forage for the agency stock, and other miscellaneous items, \$5,000 is used to pay the salaries of the clerical help at that place. A portion of the money is expended for the purpose of subsisting the Indians. Fifteen thousand dollars could be well used at this agency.

Mr. MERITT. I should like to say, in connection with this item, that while we are not asking for an increase at the Flathead Agency, the amount appropriated for that agency is hardly sufficient to meet the needs there. It is a very large agency and, as the Indians have been allotted, they are now really in need of a larger appropriation.

The CHAIRMAN. The next item is:

For support and civilization of Indians at Fort Peck Agency, Montana, including pay of employees, thirty-five thousand dollars.

Mr. MERITT. That is the same amount that we had last year, and I should like to submit a justification for that item, as follows:

*Support of Indians of Fort Peck Agency, Mont.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$35,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	40,000.00
Amount expended-----	39,967.81
Unexpended balance-----	32.19
Analysis of expenditures:	
Employees-----	19,834.36
Heat, light, and power-----	1,839.81
Subsistence-----	13,424.20
Dry goods-----	470.14
Hardware, implements, etc-----	1,680.21
Furniture and household goods-----	36.83
Medical supplies-----	685.75
Forage-----	1,831.50
Stationery and office supplies-----	163.81
Miscellaneous-----	1.20
Total-----	39,967.84

## SUPPORT OF INDIANS AT FORT PECK.

Amount asked for, \$35,000.

Under the jurisdiction of the superintendent at Fort Peck there are over 1,700 Indians. Of the amount estimated over \$11,000 is paid for clerical help and about \$15,000 for subsistence and other articles to be issued to the Indians for their maintenance. From the remainder there must be provided heat, light, and power for the agency plant, forage for the stock, and many other items necessary to the proper conduct of affairs on the reservation.

The CHAIRMAN. I see there has been submitted an estimate for \$40,000 for buildings on the Flathead Agency.

Mr. MERITT. That is a supplemental estimate.

The CHAIRMAN. What have you to say in reference to that?

Mr. MERITT. We should like to get in the bill at this point the item contained in the supplemental estimate for \$40,000 for buildings for Flathead Agency. It is reimbursable out of the proceeds from the sale of timber and lands on the Flathead Reservation. We are simply asking for an advance of money out of the Treasury to provide funds with which to construct these buildings, and the tribe will reimburse the Government.

Mr. BURKE. Can you tell us how much we have appropriated heretofore that is reimbursable out of their funds?

Mr. MERITT. I think there has been appropriated something like \$900,000 for an irrigation system, but that will be reimbursed from the sale of lands and from reclamation charges on the irrigated lands.

Mr. BURKE. Provided that it works out as we hope?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Should not that come at the end of the line after the word "dollars"?

Mr. MERITT. Yes, sir. It may be well to insert it right after the item for the Flathead Agency.

Mr. BURKE. That is an amendment to be considered?

The CHAIRMAN. Yes.

Mr. MERITT. There is also another appropriation of \$20,000 that we are requesting for the Flathead Agency in the supplemental estimates. You will find that on page 8 of the supplemental estimates.

Mr. FERRIS. Where is that to be inserted; after line 12?

The CHAIRMAN. Yes; that follows after line 12, as I understand it. Can you offer that amendment now?

Mr. MERITT. Yes; I have that amendment here and the justification for both items. This item for \$20,000 is reimbursable out of the proceeds from the sale of lands and timber.

In support of the estimate for \$40,000 for agency buildings and repairs, which is to be made reimbursable, I should like to submit a justification as follows:

The entire agency plant on the Flathead Indian Reservation is in the most dilapidated condition. The agency office and warehouse, which are combined, are located in an old building wholly unfit and inadequate for the purpose and unsafe on account of the liability of fire and the absence of a vault or other protection for the agency records. The superintendent's quarters and the cottage occupied by the physician are the only buildings fit for occupancy, and these are in need of extensive repairs. The other buildings at the agency are practically unfit for use. The present location of the agency is at the southern end of the reservation, removed from the main settlements of Indians from 20

to 75 miles, which entails a hardship on the Indians in making necessary visits to the agency to consult their superintendent on business matters.

In view of the dilapidated condition of the agency plant and the large sum which it would be necessary to expend for repairs should the agency be maintained at its present location, it is proposed to locate agency headquarters at a more central site and repair one of the buildings at the present site for use as quarters for a farmer to be stationed in that district. This item of legislation is most urgently needed.

Mr. FERRIS. How many Indians are there on the Flathead Reservation?

Mr. MERITT. There are about 2,200, I think.

Mr. FERRIS. Have they more than one agency?

Mr. MERITT. There are about 2,200 or 2,300 Indians on the Flathead Reservation and only one agency.

Mr. FERRIS. What is the status of those Indians with reference to intelligence and civilization?

Mr. MERITT. They are very intelligent Indians and they are progressing rapidly.

Mr. FERRIS. Are there a good many of them that speak English?

Mr. MERITT. Some of them.

Mr. FERRIS. Are they industrious Indians? Do they work?

Mr. MERITT. Yes; some of them work. A good many of them are working on the irrigation project now being constructed on that reservation.

Mr. FERRIS. Have they trust funds?

Mr. MERITT. They have some funds from the proceeds of the sale of lands, but not a very large amount.

Mr. FERRIS. What would probably be the value of their estate? Have you any way of arriving at that?

Mr. MERITT. We could probably figure it out.

Mr. FERRIS. I do not know that it is highly important, but I thought if you had an estimate we could make use of it.

Mr. MERITT. It would be a guess at this time.

Mr. FERRIS. Have they been allotted?

Mr. MERITT. Yes, sir.

Mr. FERRIS. What is the size of their allotments?

Mr. MERITT. I think they have received 160 acres of agricultural land.

Mr. FERRIS. They have surplus lands in addition to their regular allotments, have they not?

Mr. MERITT. Yes, sir.

Mr. FERRIS. You do not know how much, do you?

Mr. MERITT. I could not tell you offhand. They have a large area of surplus lands.

Mr. FERRIS. Are the surplus lands valuable?

Mr. MERITT. Yes, sir.

Mr. FERRIS. Timber lands?

Mr. MERITT. They are valuable for timber and they are agricultural lands.

Mr. FERRIS. And mineral, too, are they?

Mr. MERITT. I do not think they have much mineral land, but a good deal of the land can be irrigated.

Mr. FERRIS. So that their surplus lands are valuable, as well as their individual allotments?

Mr. MERITT. Yes, sir.

Mr. FERRIS. As to the amount of trust funds they have you do not know?

Mr. MERITT. I could not tell you offhand: They have timber interests worth millions of dollars.

Mr. FERRIS. You estimate that this proposed agency will cost \$40,000?

Mr. MERITT. Yes, sir.

Mr. FERRIS. Will that complete the agency sufficiently to carry on the business of the Indians?

Mr. MERITT. Yes, sir.

Mr. FERRIS. Is that only a starter, so that they will have to have an appropriation next year?

Mr. MERITT. No, sir.

Mr. FERRIS. That is a complete estimate for the agency there?

Mr. MERITT. Yes, sir.

Mr. FERRIS. This would be reimbursable and would be paid from the Indians' own funds?

Mr. MERITT. It would be paid from the proceeds of the sale of land or timber.

Mr. BURKE. You have in your supplemental estimates an estimate for an additional \$20,000, have you not?

Mr. MERITT. Yes; and I should like to insert in the record the reasons for that, and I will read it for the benefit of the committee.

It reads as follows:

On the Flathead Reservation there are considerable quantities of timber which were killed or severely injured by fire during the season of 1910. An effort has been made to dispose of this timber through advertisement and sale upon the stump. Only a small quantity has been thus sold, and it will probably be impossible to sell more than a small part of it in this way. This timber will very soon begin to depreciate rapidly. There are now two sawmills on the Flathead Reservation, one at Jocko and one at Ronan. In each of these mills a part of the machinery is satisfactory and a part of it is very unsatisfactory. There is also need of a portable mill near the southwest corner of the reservation for the manufacture of dead timber which can not be brought to the other mills. The purchase of certain new machinery and the shifting of machinery now located at the two mills is necessary, so as to fit up three mills. No satisfactory results can be obtained at either the Ronan or Jocko mills until some new machinery and repairs are furnished. The appropriation for the support of the Flathead School is so small that no extensive timber operation can be undertaken. The Flathead Indians have timber valued at over \$4,000,000. If arrangements could be made under which a revenue could be derived through the manufacture and sale of a part of this timber the methods and means for the protection of the remainder from fire and trespass could be greatly improved. There is need of such protection because of the large number of settlers who are now scattered over nearly the whole reservation.

The superintendent has repeatedly urged the necessity of more assistance in the protection of the Flathead timber. Mr. Charles L. Davis, who inspected the Flathead Agency the past summer, was particularly impressed with the necessity of having the salaries of men engaged in forestry work there excluded from the \$10,000 limitation of the act of June 7, 1897 (39 Stat. L., 90).

The most practicable solution of present difficulties appears to be the securing of an appropriation which will make possible immediate action toward the purchase of the necessary sawmill machinery and the employment of suitable employees to protect the timber. This appropriation should be reimbursed from the Flathead funds, as all money derived from the sale of timber will be credited to the Indians.

The CHAIRMAN..This is the reason for the amendment?

Mr. MERITT. Yes, sir. This is a reimbursable item, and, as you will see from the justification, it is a good business proposition to advance these Indians this amount of money, so that they can go ahead and manufacture the dead and down timber on the reservation.

Mr. BURKE. Why has not that timber been sold?

Mr. MERITT. Because of the fact that a year ago there were large, destructive forest fires, covering a very large area of the western country, and as a result timber has been selling at a much lower price, and it has been rather difficult to sell timber in the West.

Mr. BURKE. Has it not been due to the high appraisement and the restrictive regulations that have been proposed governing the sale of timber on Indian reservations?

Mr. MERITT. I do not think it is due to that fact so much as other conditions.

The CHAIRMAN. You offer the amendment at this point, after the last amendment carrying \$40,000, and without objection we will insert immediately after that amendment the reasons given as printed here.

Mr. MERITT. Yes, sir.

The CHAIRMAN. Without objection, the amendment will be followed by the reasons given.

PROTECTION AND MANUFACTURE OF TIMBER ON FLATHEAD INDIAN RESERVATION.

There is hereby appropriated the sum of \$20,000, to be immediately available, and to remain available until expended, and the Secretary of the Interior is authorized to use this money, or so much thereof as he may deem necessary, in the purchase of a sawmill and logging equipment and the employment of suitable persons to manufacture and to lumber burned timber on the Flathead Indian Reservation, Mont., and to protect the remaining timber from fire and trespass: *Provided*, That the sum expended under authority of this act shall be reimbursed the United States from the proceeds arising from the sale of lands and timber within said reservation under existing acts of Congress: *Provided further*, That the amounts paid to persons employed hereunder shall not be included within the limitation of salaries and compensation of employees in the Indian Service contained in the act of June 7, 1897 (30 Stat. L., 90).

Mr. FERRIS. Do you not think that the launching of the Federal Government in a private enterprise that is to have Congress appropriate money to buy a sawmill and have representatives of the Federal Government go out there and saw lumber, is something more than we ought to do?

Mr. MERITT. We are simply advancing the money to the Indians in order that they may accomplish something and save the timber. They have no funds with which to buy this machinery, but they have a large amount of timber which needs immediate attention, and unless the Government advances this money, that timber will be lost to the Indians.

Mr. FERRIS. But the Indians would not know enough to run the sawmills after the Federal Government withdrew its support, and the result would be that the Federal Government would have to keep on indefinitely or lose the sawmills, would it not?

Mr. MERITT. They have large quantities of timber there, which will enable those mills to keep in operation for a number of years. They are small mills, not costing very much money.

Mr. FERRIS. How many years would you say it would require to have the sawmills proposed under this item saw up the timber out there and convert it into money for the Indians?

Mr. MERITT. You will notice under the justification that we already have two sawmills, and this money is to be used in equipping those two small sawmills, and, I believe, the establishing of one other sawmill.

Mr. FERRIS. This item reads that this money is to be immediately available. It seems to me that the wording of that amendment authorizes the Secretary of the Interior to go out there and carry on a complete logging outfit in every respect.

Mr. MERITT. That is being done now on the Menominee Reservation.

Mr. FERRIS. In how many other places in the United States is that being done?

Mr. MERITT. The Menominee Reservation is the only place where we are conducting large operations.

Mr. FERRIS. How long have you been conducting operations on the Menominee Reservation?

Mr. MERITT. About five years.

Mr. FERRIS. Have you any figures which show what has been accomplished in that line on that reservation?

Mr. MERITT. Yes, sir.

Mr. FERRIS. Have they been able to make it self-sustaining and derive any profit for the Indians above the expenses of operation?

Mr. MERITT. The report for last year shows receipts above expenses.

Mr. FERRIS. How much?

Mr. MERITT. Several thousand dollars. I do not recall the exact amount.

Mr. FERRIS. In order to make an estimate of the success they have had with their work, what, in round numbers, is the amount of expense and what, in round numbers, is the amount of gross income from the logging work on the Menominee Reservation? Have you the figures in your mind so that you can estimate it now?

Mr. MERITT. No, sir. The profits last year were about \$15,000.

The CHAIRMAN. Do the Indians on the Menominee Reservation, who have been sawing up this timber that you describe, do the logging?

Mr. MERITT. Under the law we are required to furnish to the Indians as much employment as they will do and are competent to do.

The CHAIRMAN. I see that is left out of this amendment. Can you explain why that was done?

Mr. MERITT. We intend on all Indian reservations to use Indian help just as much as possible. That is the established policy of the department.

The CHAIRMAN. Do you not think this should contain the same item that there is in regard to the Menominee Reservation.

Mr. MERITT. There is no objection to inserting that item, because that would be done anyway. Of course, it would be to the interest of the Indian Service to get just as many Indians working as possible.

The CHAIRMAN. To make them self-supporting, if possible?

Mr. MERITT. Yes, sir.

The CHAIRMAN. The next item is:

For continuing the construction and maintaining the Milk River irrigation system on the Fort Belknap Reservation, in Montana, fifteen thousand dollars, reimbursable in accordance with the provisions of the act of April fourth, nineteen hundred and ten.



Mr. MERITT. I desire to submit the following justification in support of this item:

*Irrigation system, Milk River, Fort Belknap Reservation, Mont. (reimbursable).*

Fiscal year ending June 30, 1912, amount appropriated-----	\$15,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	25,000.00
Amount expended-----	24,272.30
Unexpended balance-----	727.70
Analysis of expenditures:	
Employees-----	22,590.50
Material-----	1,578.04
Equipment-----	30.00
Forage-----	68.68
Stationery and office supplies-----	5.10
	24,272.30

*Fort Belknap, Mont.*

Number of Indians-----	1,197
Land under project----- acres-----	34,600
Land irrigated----- do-----	16,000
Cost per acre-----	\$6.00 to \$7.00
Expended to July 1, 1911-----	\$186,840.52
Necessary to complete-----	\$35,000.00
Value per acre when irrigated-----	\$50 to \$100

IRRIGATION SYSTEM, MILK RIVER, FORT BELKNAP RESERVATION, MONT. (REIMBURSABLE).

For continuing construction and for repairs and maintenance Milk River irrigation system, \$15,000.

The sum of \$115,000 has been appropriated for this reservation for irrigation work, and \$186,840.52 expended to June 30, 1911, which will irrigate 34,600 acres. It is estimated that \$35,000 will be necessary to complete this project.

This appropriation should be made reimbursable, in a similar manner to that provided in the act of March 3, 1911. The Indians on this reservation should be given every assistance possible to perfect their very valuable water rights in the Milk River decreed to them in a most favorable decision of the Federal courts.

The CHAIRMAN. First, as I understand it, Mr. Commissioner, it is already under way.

Mr. VALENTINE. Yes, sir; this project has been in operation for some years, and the Indians have been farming under it.

The CHAIRMAN. But still the language for continuing the construction?

Mr. VALENTINE. It can be extended, and what is already built needs to be maintained.

The CHAIRMAN. Is not this language misleading, then: "Continuing the construction" and "extending the construction"?

Mr. HOLT. The land has not been allotted yet, and for that reason the laterals are not extended any faster than the Indians request them.

Mr. VALENTINE. Would not "extending" be a better word than "continuing"? "Continuing" looks as if it was a big project under way.

The CHAIRMAN. It possibly would be better language.

Mr. VALENTINE. I would suggest, Mr. Chairman, that that word be changed to "extending."

The CHAIRMAN. Without objection we will insert the word "extending" instead of "continuing."

Do you make this reimbursable in 1891 in accordance with the provisions of the act of April 4, 1910?

Mr. VALENTINE. Yes, sir.

The CHAIRMAN. What are the prospects of ever receiving anything back from it, then?

Mr. VALENTINE. The Indian reservation is large, containing unallotted land to the extent of 497,000 acres.

The CHAIRMAN. Is that the size of the whole reservation?

Mr. VALENTINE. The whole reservation is not larger than that; that is the size of the whole reservation, Mr. Chairman. The allotments under this project being merely tentative allotments, they have not been confirmed yet.

The CHAIRMAN. How much of this whole reservation has been allotted to the Indians?

Mr. VALENTINE. None of it has been allotted to the Indians—simply on tentative selection under these ditches.

The CHAIRMAN. It would be hard to replace after allotting each Indian a share?

Mr. VALENTINE. There are on this reservation about 1,250 Indians, and there is also some good irrigable land for the south end of the reservation, so that there would be, no doubt, land that could have water on it and a very fine range.

The CHAIRMAN. About how much land, then, would be available for sale to derive these reimbursable funds from?

Mr. VALENTINE. Well, of course, it would depend on the size of the grazing allotments; but there might well be, I should say, 250,000 acres, very likely.

The CHAIRMAN. How much of that do you think, roughly estimated, would be irrigable, and how much of the 250,000 acres?

Mr. VALENTINE. Have not studies been made, Mr. Holt?

Mr. HOLT. I think the reservation has not been surveyed.

The CHAIRMAN. You would not be able to make a close estimate?

Mr. VALENTINE. No, sir; it would be the merest guess.

The CHAIRMAN. What would those pasture lands be worth, if sold now under the usual manner of selling these surplus lands?

Mr. VALENTINE. That land which you have spoken of as the "range" is decreasing in size and increasing in value so that it would bring \$6 an acre, if not a good deal more.

The CHAIRMAN. Irrigable land.

Mr. VALENTINE. I have understood some statement where it was being held at \$10 an acre and up.

The CHAIRMAN. How much money has already been spent on this project?

Mr. VALENTINE. There has already been spent \$186,000.

The CHAIRMAN. How much would be spent after this year, or would this close it?

Mr. VALENTINE. \$25,000.

The CHAIRMAN. After this year?

Mr. VALENTINE. Yes, sir.

The CHAIRMAN. How would that be expended after this year?

Mr. VALENTINE. That would go to the extending of these laterals that Mr. Holt has mentioned.

The CHAIRMAN. Would that be necessary next year?

Mr. VALENTINE. No, sir.

The CHAIRMAN. I mean 1914; this is for 1913.

Mr. VALENTINE. This item of \$15,000 would not, of course, complete the project.

The CHAIRMAN. But it would require \$35,000 more?

Mr. VALENTINE. It would require more—\$35,000 in addition to this.

The CHAIRMAN. Use the word "extending" instead of the word "continuing" for the construction and maintenance of the Milk River, which would be \$50,000 appropriation in the end for this extension. Is that correct?

Mr. VALENTINE. Yes, sir.

The CHAIRMAN. Is it a good policy to irrigate lands prior to their allotment, Mr. Commissioner?

Mr. VALENTINE. I think it is the more desirable policy.

The CHAIRMAN. Will you not have trouble in equalizing this when you get ready to allot part of which is irrigated and part of which is not?

Mr. VALENTINE. No, sir; I think not. They can be prorated.

The CHAIRMAN. Won't you have trouble in ultimately selling the ceded lands—the surplus lands—a part of which are under the ditch and part of which are not?

Mr. VALENTINE. I see no difficulty in that; at least, as an offset to the difficulty that we have where Indians are allotted before they are given any industrial start ahead at all.

The CHAIRMAN. These Indians have no funds at all—cash?

Mr. VALENTINE. I think not. They have some large claims against the Government.

The CHAIRMAN. How much money has been appropriated heretofore and made reimbursable of the funds of these Indians?

Mr. VALENTINE. The total appropriations or combined expenditures, in answer to your question, not only out of the specific appropriation for this reservation of \$115,000, but to the extent of over \$70,000 more out of the general irrigation funds from year to year, when there was not sufficient specified funds appropriated.

Mr. FERRIS. Then that \$136,840.52 represents the total expenditure that has been made to these Indians for which their assets is assumed to reimburse the Government?

Mr. VALENTINE. Except the reimbursable feature would be limited to a specified general fund, not being reimbursable, so that only \$115,000 would be reimbursable.

Mr. FERRIS. They have that really without Federal action—\$115,000?

Mr. VALENTINE. Yes, sir; plus whatever further would be appropriated.

Mr. BURKE. In that respect, I should call attention to the law of last year, on page 24, if you have the bill, that the portion of the cost of this project paid from public funds shall be repaid into the Treasury of the United States. Consequently, any money that has been expended that has been appropriated would be reimbursable. This is one of the best projects probably that you have in the Indian service, considering the cost of it, is it not?

Mr. VALENTINE. The cost from a purely industrial point of view.

Mr. BURKE. The cost being something like \$6 or \$7 an acre?

Mr. VALENTINE. That is true, except that I do not think it takes into consideration certain features which should really be included in the cost.

Mr. BURKE. I notice on page 172 of the memorandum you furnished there is a reference to some decision in favor of these Indians, involving the question of their water rights in the Milk River. What does that refer to?

Mr. VALENTINE. That is the Winters case.

Mr. BURKE. Have you the reference to the cost, so that it will give us the opinion?

Mr. MERITT. It was decided by the Supreme Court. Reference is found in the United States Supreme Court Reports, 207, page 564.

The CHAIRMAN. The next item is:

For continuing the construction of irrigation systems to irrigate the allotted lands of the Indians of the Flathead Reservation, in Montana, and the unallotted irrigable lands to be disposed of under authority of law, including the necessary surveys, plans, and estimates, two hundred and fifty thousand dollars, reimbursable in accordance with the provisions of the act of April fourth, nineteen hundred and ten.

Mr. MERITT. I desire, Mr. Chairman, to submit the following justification in support of this item.

*Irrigation system, Flathead Reservation, Mont. (reimbursable).*

Fiscal year ending June 30, 1912; amount appropriated-----	\$400,000.00
Fiscal year ended June 30, 1911:	
Unexpended balance June 30, 1910-----	43,974.18
Amount appropriated-----	250,000.00
	<hr/>
	293,974.18
Amount expended-----	272,580.62
	<hr/>
Unexpended balance-----	21,393.56
	<hr/>
Analysis of expenditure:	
Salaries, wages, etc-----	193,232.48
Material, supplies, etc-----	78,806.60
Damages to improvements-----	541.54
	<hr/>
	272,580.62

*Flathead.*

Number of Indians-----	2,265
Area now irrigated-----acres-----	19,000
Land to be irrigated-----do-----	150,000
Cost per acre-----	\$30.00
Estimated cost to complete-----	\$3,781,000.00
Amount expended to July 1, 1911-----	\$490,019.44
Value of land per acre when irrigated-----	\$80.00 to \$150.00

The following is a statement of the estimated cost of construction proposed for the Flathead project for the fiscal year ending June 30, 1913.

It is proposed to construct additional works to irrigate the remainder of Mission Valley south of Post Creek, as follows: Two lateral canals C and D will be taken from Mission Creek northward, and lateral E from the south bank of Dry Creek will irrigate lands south of Mission Creek and as high as the land is of suitable character. These will irrigate about 12,000 acres. Storage will be provided by constructing in part during 1912 an outlet cut and dam at St. Mary Lake, and this reservoir will be filled by the run-off of Dry Creek naturally

tributary to it, supplemented by water from the north fork of Jocko River brought through the old Blackfeet-Flathead pass in the St. Mary feeder canal.

Stream records have shown that the run-off of Dry Creek is not sufficient for the needed amount of storage water for Mission division, and that in 1910 all water was used by prior appropriators.

The annual run-off of Jocko River is about 10 times the quantity required by the Jocko division, and the St. Mary reservoir and feeder canal afford the most economical source of supply.

The proposed expenditures for the Mission division is as follows:

Laterals C, D, and E.....	\$95, 000
St. Mary feeder canal.....	54, 000

Total for division..... 149, 000

In Post division, a canal, lateral F, will be taken out of Post Creek to reach the lower lands, about 6,000 acres, north of Post Creek and mainly east of D'Aste town site. Lake McDonald will be developed as a storage reservoir by the excavation of an outlet cut and partial construction of a dam and controlling works. McDonald Reservoir will command all lands in Crow, Polson, and Pablo divisions through the Pablo feeder canal. Ninepipe Dam will be increased in height to meet growing demand for water to hold about double its present capacity, or 10,000 acre-feet.

The proposed expenditures for Post division are as follows:

Lateral F, with structures.....	\$40, 000
Extension of Ninepipe Dam.....	35, 000
Lake McDonald first development.....	120, 000

Total for division..... 195, 000

In Crow division a system of distributary canals and structures will be built taking water from the Pablo feeder canal and reaching lands surrounding Ronan, about 10,000 acres in extent.

The proposed expenditure for the above work is \$50,000.

In Pablo division it is proposed to increase the height of South Pablo Dam as the needs of the lands below it demand at the time. The amount named for this work is only approximate and a portion of it may be used in extending the lateral canals below the dam depending on the demand for water.

The proposed expenditure for work in Pablo division is \$80,000.

In Polson division it is proposed to construct a portion of the East Lake Canal, taking water from creeks east of Flathead Lake for use in Polson and Pablo divisions. Use will be made direct in part and the balance will be stored in Twin and Pablo Reservoirs. About 3,000 acres will be irrigated in Polson division.

The proposed expenditure for Polson division is:

East Lake Canal, first development.....	\$14, 000
Lateral canals and structures.....	12, 000

Total for division..... 26, 000

The above-described works will irrigate approximately 30,000 acres of land, comprising the bulk of the remaining unirrigated allotted land in Mission Valley that can be irrigated and, incidentally, also about 8,000 acres out of a total to date of about 60,000 acres of homesteaded land adjacent thereto.

The bulk of the farm units opened to homestead entry lie west of the lands described and will require extensions from the Pablo Canal system, a new canal out of Crow Creek, and further development of reservoirs.

The cost of the work proposed is summarized below, by divisions:

*Summary for 1913.*

Mission division.....	\$149, 000
Post division.....	195, 000
Crow division.....	50, 000
Pablo division.....	80, 000
Polson division.....	26, 000
Total.....	500, 000

*Flathead project, Mont.*

Nine hundred and fifty thousand dollars have been appropriated for this project, as follows:

Amount.	Limit.	Act.	Date approved.
\$250,000	1910.....	35 Stat., 795...	Mar. 3, 1909
250,000	Permanent....	Public, 114, 9..	Apr. 4, 1910
50,000	.....do.....	35 Stat., 83....	Apr. 30, 1908
400,000	.....do.....	Public, 454....	Mar. 3, 1911

Five hundred and six thousand nine hundred and twenty-six dollars and one cent had been expended on June 30, 1911, on this reservation, of which \$18,906.57 was expended prior to the inception of this project.

The irrigable area in this project is estimated at 150,000 acres.

It is estimated by the Reclamation Service that \$3,781,260.72 will be required to complete this project.

The Reclamation Service estimated that \$500,000 would be required to carry on this work in an economical manner during 1913.

Here, as at Fort Peck and Blackfeet, it is necessary to carry on the work in a diligent manner to reserve the water rights filed on for the project.

All appropriations are to be reimbursable.

Two hundred and fifty thousand dollars is requested for this project in the bill as prepared by the Indian Office for 1913.

The CHAIRMAN. Is this word "continuing" correct in this connection?

Mr. VALENTINE. That word is correct there.

The CHAIRMAN. Then, you say it can be completed for this additional amount of \$250,000?

Mr. VALENTINE. No, sir; the estimated cost to complete is nearly \$4,000,000.

Mr. FERRIS. About how much land does this cover?

Mr. VALENTINE. The whole land to be irrigated will be about 150,000 acres.

Mr. FERRIS. What will be the amount per acre?

Mr. VALENTINE. \$30.

Mr. FERRIS. How does that compare with other irrigation projects?

Mr. VALENTINE. While it is higher than the general average of the strictly Indian irrigation projects, it is a very good irrigation cost for land as valuable as this.

Mr. FERRIS. Is it what is known as river-valley lands?

Mr. VALENTINE. Valley lands; and you heard Senator Dixon saying the other day it is wonderful red-apple land.

Mr. FERRIS. It has additional advantage, then, of having a great deal of irrigable land underneath the ditches that you have provided for?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. This project?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. What river does your water come from?

Mr. VALENTINE. The Ponderosa, Mission Creek, Bitter Root River, Jocko River, and Post Creek, Crow Creek, and there are a great many creeks having no name—cross streams.

Mr. FERRIS. You have got about 2,265 Indians out here?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. You have expended \$490,019.44 up to July 1, 1911, I believe?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. You estimate that it will cost almost four million to accomplish this project when completed; is that correct?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. What amount of trust funds have these Indians in the Treasury of the United States?

Mr. VALENTINE. They have none at the present time, Mr. Ferris.

Mr. FERRIS. What had they when this project began?

Mr. VALENTINE. I think they had none.

Mr. FERRIS. What is a fair estimate of the present cash value of their assets—*independent of their individual allotment?*

Mr. VALENTINE. Well, that is more of a guess than a business man would like to give, but I should say \$5,000,000 would be a good guess.

Mr. FERRIS. It should not really be a guess, should it, Mr. Commissioner, where we are making large appropriations on projects of this sort, and reciting "reimbursable" when they have not a cent in the Treasury of the United States? It seems to me it ought to be a careful statement made covering the exact facts, as to whether or not they will ever get anything in return.

Mr. VALENTINE. That is perfectly true; but you asked for the actual present value—for what the thing could be disposed of next month, and that would be a guess. But we do know from a very careful estimate of the timber land that the timber is worth upward of \$4,000,000, if it is disposed of in a business way along in a series of years.

Mr. FERRIS. They have no cash, but you think their estimates a fair guess as to their assets, amounting to \$5,000,000?

Mr. VALENTINE. At the present time I should say a good estimate on the basis of a conservative increase of value would probably go more than that.

Mr. FERRIS. This \$250,000 asked for is not a maintenance charge at all, but for the purpose of carrying the irrigation project further. Is that correct?

Mr. VALENTINE. Yes, sir.

Mr. FERRIS. So it simply amounts to an enlargement of the present project?

Mr. VALENTINE. Yes, sir. I would also call attention to the fact that \$370,000 have already been reimbursed to the Treasury out of the sale of ceded lands.

Mr. FERRIS. How much?

Mr. VALENTINE. \$370,000, so that a very substantial part of the \$490,000 already actually expended has already been reimbursed.

Mr. BURKE. In estimating the value or the amount that will be received from the sale of land and timber belonging to these Indians to reimburse the Treasury for the cost of this project, you are not taking into consideration that we ought to get a very much greater sum than you have estimated after we have spent almost \$4,000,000 in construction of the reclamation project?

Mr. VALENTINE. I am taking that into consideration, but from all the reports that I get of every division there will be a much greater sum; that five million that I mentioned was merely present-day hammer-sale estimate.

Mr. BURKE. This estimate that it will cost \$3,781,000 is for completing the project to the extent of reclaiming and irrigating the 150,000 acres?

Mr. VALENTINE. Yes, sir.

Mr. BURKE. Is there not in the project now under construction what you call the first unit, and is that not limited to cost not to exceed much more than about \$1,000,000? What are the facts about that? I am not quite clear in regard to it.

Mr. HOLT. As I understand it, the limit of this project has never been fixed, but it is constructed in unit. This is the Jocko unit of the Polson project?

Mr. BURKE. That is my recollection. What portion of it, when you speak of units, has the money been expended upon?

Mr. HOLT. It has been expended mostly on the Jocko and the Mission and certain parts of the other units.

Mr. BURKE. After those first units are completed, as I remember, to continue the project as was contemplated involves an expenditure of very large sums of money in the construction of a canal, does it not, to get water to a certain point?

Mr. HOLT. There is a long canal contemplated, which is partly constructed now.

Mr. BURKE. How much is it estimated that those units——

Mr. HOLT. The Jocko unit was the first one.

Mr. VALENTINE. It might be useful in having in the record at this point these very brief statements as to the provisions and as to how much is completed at the present time. The Jocko division is 81.5 per cent completed; the Mission division, 9.6 per cent completed; Pablo division, 28.7 per cent completed; the Polson division, 9.8 per cent completed; the Post division, 31 per cent completed. Those are the different divisions shown in that paragraph.

Mr. BURKE. My recollection is that in appropriating for this project heretofore, and especially in the last two appropriations, that it was sort of understood that for the present we would not undertake to provide the money to carry out this whole project until these first two had been finished, and until we had more definite information relative to how much money would be received that would reimburse the Treasury for the cost of the project. I may be mistaken about that.

Mr. VALENTINE. My recollection is that that was precisely the case as to the Fort Peck project. We limited that very definitely, but my recollection also coincides with yours that the committee last year, in discussing the large estimate then asked for by the Reclamation Service, decided that it would be better to appropriate for the provision of one of these units.

Mr. BURKE. That is my understanding.

Mr. VALENTINE. Which one it was or whether that was actually directed, I do not recall.

Mr. BURKE. I am not quite clear in regard to it, but my recollection is that our discussion of the subject in the last appropriation bill was with reference to the completion of the 1902 units at any event.

Mr. VALENTINE. My recollection is very clear that you laid down a general principle that you thought on all these big projects—Black-feet, Flathead, and the Fort Peck—the thing should be done where a unit could be taken out and segregated without economic waste and



where it was perfectly feasible that it should be segregated and done at one time.

Mr. BURKE. That is the point. We found that so much construction work had been done on these two units that we were justified in going ahead and appropriating the money to complete those units, and my understanding was that the question of appropriating to carry out the project as contemplated, which is to cost nearly \$4,000,000, that that was a matter for future determination, and I want to inquire now whether or not it is necessary to appropriate as much as has been asked for or estimated for to complete these first two units.

Mr. VALENTINE. We will ascertain that from the Reclamation Service, Mr. Burke.

Mr. BURKE. This project promises, I think, to be a good one, but I doubt if it is wisdom to have to undertake construction where it is contemplated at such an immense cost while as you say there has been nearly \$400,000 reimbursed, so that in that sense it is the best project we have undertaken. I wish you would give us that information.

That brings us to the Blackfeet proposition.

The CHAIRMAN. The next item is:

For continuing the construction of irrigation systems to irrigate the allotted lands of the Indians of the Blackfeet Indian Reservation, in Montana, and the unallotted irrigable lands to be disposed of under authority of law, including the necessary surveys, plans, and estimates, one hundred thousand dollars, reimbursable in accordance with the provisions of the act of March first, nineteen hundred and seven.

Mr. MERRITT. I desire so submit the following justification in support of this item:

*Irrigation system, Blackfeet Reservation, Mont. (reimbursable).*

Fiscal year ending June 30, 1912, amount appropriated.....	\$150,000.00
Fiscal year ended June 30, 1911:	
Unexpended balance June 30, 1910.....	61,957.18
Amount appropriated.....	200,000.00
	<hr/>
Amount expended.....	261,957.18
	136,809.39
	<hr/>
Unexpended balance.....	125,147.79
	<hr/>
Analysis of expenditures:	
Salaries, wages, etc.....	103,494.47
Material, supplies, etc.....	33,314.92
	<hr/>
	136,809.39
	<hr/>
Number of Indians.....	2,407
Land that may be irrigated.....acres.....	133,000
Amount expended to July 1, 1911.....	\$271,573.72
Value per acre when irrigated.....	\$50 to \$100

The following is a statement of the estimated cost of construction proposed for the Blackfeet project for the fiscal year ending June 30, 1913.

It is proposed to enlarge and complete the work on Two Medicine unit to supply water to the additional allotments made in 1911, and to continue work on the Badger-Fisher unit to irrigate allotted lands there. The latter lands, especially, lie in the more favorably located sections of the reservation for agricultural success.

It is proposed to accomplish the major part of this work with Indian labor and teams.

## CONSTRUCTED WORK.

It is expected that at the beginning of the fiscal year 1913 the status of the work will be as follows:

Two Medicine Dam, complete, to store 16,000 acre-feet of water.

Two Medicine Main Canal enlarged to 200 second-feet capacity.

Two Medicine Canal system on Carlow Flats, completed, to cover about 20,000 acres.

In the Badger-Fisher unit work will have been carried well forward on the feed canal and cross-drainage structures; also miscellaneous topographic and canal-location surveys and telephone construction will have been done.

## PROPOSED WORKS.

With the money on hand June 30, 1912, and the appropriation requested, it is proposed to construct the following works:

*Two medicine unit.*—Spring Lake Dam, an earth fill, will be built to a capacity of 20,000 acre-feet, and the Two Medicine south canal, to reach 10,000 acres of land most accessible for irrigation. This canal will be constructed to carry 100 second-feet, but with provision for enlargement in the future.

The location of proposed works is shown on drawing S 3206.

The estimated cost of the works described is as follows:

Two Medicine south canal.....	\$50,000
Spring Lake Dam.....	60,000
Operation, maintenance, and betterments, Two Medicine unit.....	10,000
Total for Two Medicine unit.....	120,000

*Badger-Fisher unit.*—The Badger feeder canal will be completed by construction of headworks and flume or siphon necessary to reach Four Horns Reservoir.

The concrete controlling works of Four Horns Reservoir will be built, developing the reservoir to 40,000 acre-feet capacity. Its ultimate capacity is about 70,000 acre-feet.

Below the reservoir water will follow a natural channel that will require protection by construction of two drops before reaching Black Tail Creek. On this creek a diversion structure will turn water into the Badger-Fisher canal, 24 miles long, with a capacity of 200 second-feet at first development.

Surveys will be made to determine irrigable areas under Badger and Birch Creeks.

The estimated cost of the above work is as follows:

Badger feeder canal structures.....	\$24,000
Four Horns Reservoir, first development.....	43,000
Badger-Fisher canal and structures below Four Horns Reservoir.....	121,000
Surveys.....	12,000
Total, Badger-Fisher unit.....	200,000

The location of the above-described work is indicated on drawing S 3206.

## SUMMARY.

A summary of the proposed expenditures is as follows:

Two Medicine unit.....	\$120,000
Badger-Fisher unit.....	200,000
Total.....	320,000
Estimated balance on hand June 30, 1912.....	60,000
Appropriation needed.....	260,000

Supplementing estimate dated July 5, 1911, Blackfeet project, fiscal year 1912-13.

The Indians on the Blackfeet project have performed a much larger amount of work this season than any season before; in fact, the number reporting for work has increased about 50 per cent per year since the Reclamation Service first began constructing irrigation works on this reservation. At one time in June 1911 four-horse Indian teams were employed on this work.

Investigations were carried on at first sufficiently to determine the location of all irrigable lands, and the irrigation system was projected sufficient to cover all the irrigable lands. That portion of the several features of the irrigation system only was put under construction as was necessary to deliver water to the allotments already made. The additional allotments being made this year necessitates the construction of additional units and doubling the capacity of the irrigation works already constructed to deliver water to the irrigable lands now being allotted. The splendid work being performed by the Indians, in quality and quantity, must commend itself to those responsible for the proper guidance of these wards of the Government in their efforts to become self-supporting.

## BLACKFEET PROJECT, MONT.

Six hundred and fifty thousand dollars have been appropriated for this project, as follows:

Amount.	Limit.	Act.	Date approved.
\$300,000	Permanent....	34 Stat., 1035..	Mar. 1, 1907
200,000	.....do.....	Public, 114, 10.	Apr. 4, 1910
150,000	.....do.....	Public, 454....	Mar. 3, 1911

Three hundred and twenty thousand seven hundred and eighty-eight dollars and twenty-six cents have been expended on this project since its inception and \$49,214.54 expended on the reservation prior to that time.

It is estimated that \$920,000 will be necessary to complete the project.

This project as now surveyed will irrigate some 133,000 acres, an increase over the original estimate.

The work on this project is being done by the Reclamation Service, which estimated that \$260,000 would be required to carry on the construction in a diligent manner to protect the Indian water rights as required under the State laws.

All appropriations are to be reimbursable.

The Indian Office bill as prepared for 1913 contains an item for \$100,000 for 1913.

Mr. MERITT. Mr. Chairman, I would like to say that we cut the estimates submitted by the Reclamation Service from \$260,000 to \$100,000.

The CHAIRMAN. And how much was their original amount?

Mr. MERITT. They estimated for \$260,000, but we did not feel disposed to ask for more than \$100,000, in order to keep the totals for the Indian appropriation bill down to as low a figure as possible.

The CHAIRMAN. How much of the \$150,000 of the last appropriation has been expended? What was the unexpended balance of the last appropriation?

Mr. MERITT. The unexpended balance of the last appropriation on July 21, was \$125,147.79.

The CHAIRMAN. How do you explain that?

Mr. MERITT. Simply because the Reclamation Service have not submitted their charges. They practically will use up the entire appropriation, but up to July 1 they had not submitted their bills for services performed.

The CHAIRMAN. Have they been submitted up to this time?

Mr. MERITT. No.

Mr. HOLT. They are usually three or four months behind in submitting their bills. They first expend it from the Reclamation Office, and then submit claim and reimburse their appropriation by transfer of funds from the Indian appropriation to the reclamation fund.

The CHAIRMAN. If that is true it is very hard to tell at this time what the amount is unexpended of the last appropriation up to the present time, whether there is an unexpended balance, and if so how much.

What was the condition of the property of these Indians—about the same as the Flathead with reference to their ability to reimburse the amount expended?

Mr. MERITT. They have not the large timber interests that the Flathead Indians have, but they have a great deal of surplus land that will be available.

The CHAIRMAN. About how much surplus lands do you estimate?

Mr. MERITT. We have nearly a hundred acres of land altogether in the reservation.

The CHAIRMAN. How much is allotted to them?

Mr. MERITT. There are about 2,200 Indians on the reservation who are being allotted under the act of March 1, 1907, 34 Statutes at Large, page 1036.

The CHAIRMAN. What will that leave the surplus for the sale of their lands?

Mr. MERITT. They will have over 600,000—probably over half a million acres of surplus lands.

The CHAIRMAN. About how much of that would be farming land and how much pasture lands? Would one-half of it be considered grazing lands; as much as one-half?

Mr. MERITT. I would say that that would be a fair estimate.

The CHAIRMAN. How much of that farming land would be irrigable and could be put under ditches?

Mr. MERITT. The land that may be irrigated is 123,000 acres.

The CHAIRMAN. Of this land that is called agricultural land?

Mr. MERITT. Yes, sir.

The CHAIRMAN. You classify the agricultural lands and irrigable lands together, do you not, in making the recommendation?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Then, what would you estimate that land to be worth, bringing it together—the agricultural land, just roughly?

Mr. MERITT. I would say easily worth over half a million dollars.

The CHAIRMAN. Then, the grazing lands; what is that worth per acre?

Mr. MERITT. It would be safe to say that, altogether, they would be worth \$900,000—the surplus lands of the reservation.

The CHAIRMAN. What is the reimbursable debt against them up to this time?

Mr. MERITT. We have expended on that project \$650,000.

The CHAIRMAN. Already against them?

Mr. MERITT. Yes, sir.

The CHAIRMAN. This irrigation project is entirely a new project, is it not?

Mr. MERITT. They have been working on it for some time.

The CHAIRMAN. Is there any unit of this project that has been completed?

Mr. MERITT. The January number of the Reclamation Record, 1912, shows that the Two Medicine unit is 57.5 completed and the Badger-Fisher unit 10.8 completed.

The CHAIRMAN. How much will it take to finish for these two units—have you estimated on that?

Mr. MERITT. It is estimated it will require about \$900,000 to complete the project as planned by the Reclamation Service.

The CHAIRMAN. I understand that, but, then, how much will it take to complete those two units? There are other units contemplated in the original plan.

Mr. HOLT. There are several units in the whole project, but the ones they are working on are the Two Medicine and the Badger-Fisher. The Two Medicine is the furthest along, and it is where the most of the allotments are located.

The CHAIRMAN. Would these two units that are already well advanced furnish water to the Indians who have actually been allotted the land?

Mr. HOLT. No; there are a large number of Indians allotted on what is known as the Birch Creek unit, in the southern part of the reservation.

The CHAIRMAN. Would it furnish them a reasonable amount of land if these units were completed?

Mr. HOLT. It would furnish those that are allotted under those particular units, but the allotments under this reservation are scattered; a great many of them are located in the Two Medicine, which the Reclamation Service estimates for the year would provide water for, and the other units expect to provide at a later time.

The CHAIRMAN. Then it would be necessary to complete all of these units in order to reach all the Indians on the reservation?

Mr. HOLT. Yes, sir.

Mr. FERRIS. What do you say the exact amount required would be in order to complete these two units now under construction?

Mr. HOLT. I do not believe that I have any figures on that. I doubt if the Reclamation Service has one worked up entirely for the rest they intend to make surveys concerning during the coming year; and until surveys have been completed, it will be impossible for them to estimate on their cost.

The CHAIRMAN. Mr. Holt, it would not require \$100,000 to complete these new projects, would it?

Mr. HOLT. I think it would require more than that.

The CHAIRMAN. Is this \$100,000 new or for the purpose of completing?

Mr. HOLT. For continuing the work.

The CHAIRMAN. It says there in the language of the bill, "for continuing the construction of irrigation systems to irrigate the allotted lands of the Indians of the Blackfoot Indian Reservation." Under that language, you could, if you so desire, begin the construction of those other five units, might you not?

Mr. HOLT. I expect they could.

The CHAIRMAN. Even if it is the disposition of the committee to only let you have money sufficient to continue the two projects and cut off the beginning of new units. That language ought to be changed or some limitation placed there.

Mr. MERITT. I think it would be necessary to put a limitation.

Mr. FERRIS. Otherwise, that could be used to begin other units?

Mr. MERITT. Yes, sir.

Mr. FERRIS. Because this is only limited to the old reservation?

Mr. HOLT. I have a map showing what the Reclamation Service intends to do with the \$260,000, which we have reduced to \$100,000. Of course we can not tell just how much can be done with that \$100,000. It shows the land with the crosses on here that has been allotted to the Indians, and there is some little part of the land that will be thrown open for the whites, unless the Indians are allotted in the meantime. And here [indicating] is a large body down here that has been left to the Indians, which they do not contemplate irrigating with this \$260,000 requested by the Reclamation Service. They show on this statement here how they intended to expend that money—on what units—and for not only the Blackfeet, but the Flathead and the Fort Peck project, but we have reduced the amounts on all these. So it is easy to tell just which project they had agreed to carry on the work.

Mr. FERRIS. I wanted to ask Mr. Meritt a question. You estimated, in response to one of the chairman's questions, that you thought the surplus lands—agricultural and grazing—would probably be worth \$500,000, and that you thought a fair estimate of what the entire area would be worth, including grazing lands, would probably be \$900,000. Is that about what you think it would be worth?

Mr. MERITT. That is a low estimate. They would probably bring a million dollars.

Mr. FERRIS. You think they would probably bring a million dollars, although your estimate to the chairman was about \$900,000, I believe.

Mr. MERITT. In order to be very conservative.

Mr. FERRIS. You also stated that there had been expended against that fund and the possible assets of these Indians \$650,000 already, prior to this estimation?

Mr. MERITT. Yes, sir.

Mr. FERRIS. Are they not getting pretty dangerously close to your estimates there as to the reimbursable feature?

Mr. MERITT. They have some timber interests there which would more than cover that amount.

Mr. FERRIS. And I have understood you to say that they did not have such extensive timber tracts as had the Flathead?

Mr. MERITT. No, sir; the Flathead Indians have timber interests amounting to \$4,000,000.

Mr. HOLT. Mr. Chairman, I would like to say that part of this land that is to be irrigated by these units will be reimbursed by the white homesteaders, who will probably settle on the land when the reservation is thrown open. There is 133,000 acres that will be under irrigation when the entire system is complete, and probably more than half of that will be owned by white purchasers, and under the provisions of a former act they will reimburse the appropriation.

The CHAIRMAN. You think it is fair for the Indian service to be charged with the amount of money expended building irrigation plants for these white settlers? Would it not be better to charge that reclamation fund direct and not come to the Indian Committee to ask them to make appropriations for this?

Mr. HOLT. As I understand it, the work will be done by appropriations by Congress, which will be reimbursed from Indian funds and from the payment of reclamation charges by the white homesteaders under this system, and that will be scattered over probably

10 or 15 years, and the Flathead is 15 years; I do not remember what the figure is for the Blackfeet.

Mr. FERRIS. I want to ask Mr. Meritt one more question. Mr. Meritt, you seem to be irrigating very extensively through the reservations in Montana. To what extent are they carrying on agriculture up there under the dry-farming process? I do not particularly mean on this reservation, but in the State?

Mr. MERITT. They have done some dry farming, but not as much as they have farther south.

Mr. FERRIS. They can raise wheat up there all right under the dry process, can they not?

Mr. MERITT. I think so.

Mr. FERRIS. What is the annual rainfall there?

Mr. HOLT. Fifteen inches, approximately, on the average, I think.

Mr. FERRIS. In what months of the year does it come?

Mr. HOLT. A considerable part of that on the southern portion of the Blackfeet Reservation is in the early part of the crop season, probably May, June, and July.

Mr. FERRIS. What crops can they raise up there without irrigation?

Mr. HOLT. Some years they can raise wheat and oats, and dry years they can raise but little of anything.

Mr. FERRIS. To what extent are the people of Montana irrigating on their own private resources, if anything?

Mr. HOLT. To a considerable extent. The Reclamation Service has a great many large projects.

Mr. FERRIS. I do not mean Federal projects, but I refer to private water companies and individuals who have dams and farms which they are irrigating.

Mr. HOLT. Yes, sir.

Mr. BURKE. Where was the money expended that was appropriated last year for this project, if you know?

Mr. MERITT. It was expended on these two units—the Two Medicine unit and the Badger-Fisher unit.

Mr. BURKE. They are two separate units, are they?

Mr. MERITT. Yes, sir.

Mr. BURKE. On page 188 the statement says it will take \$920,000 to complete the project.

Mr. MERITT. That is the entire project as planned by the Reclamation Service.

Mr. BURKE. But you are unable to give us the figures now. Is not one of these units referred to practically completed?

Mr. MERITT. Yes, sir.

Mr. BURKE. And was it not so completed a year ago?

Mr. MERITT. The Two Medicine unit is 57.5 per cent completed. The Badger-Fisher unit is 10.8 per cent completed.

Mr. BURKE. In making the appropriation last year we limited it to one unit.

Mr. MERITT. Mr. Burke, this work is being done under the Reclamation Service, and it might be well to have the representative of that service here.

Mr. BURKE. My recollection is that last year we put that limitation in so as to prevent expenditure of any part of the appropriation being used to enlarge on the project above what had actually been undertaken, and that it had been shown by the hearings that it was feasible

to complete as a separate proposition, and going back to 1910, Mr. Davis was before the committee, and also Mr. Code, and they went into this quite in detail, and the information substantially was that there was 30,000 acres there that should be irrigated, or, I think, in these two units 49,000 acres; and while there was 133,000 acres susceptible of reclamation and irrigation, that this project then under way could be completed, and it was to that we were trying to limit the appropriation last year. I will state, further, Mr. Meritt, that the hearings disclosed heretofore that to complete this contemplated work that was discussed at that time was to cost \$700,000, of which \$650,000 has been appropriated.

The CHAIRMAN. I would like to ask you this question in order to make the matter a little clearer to my mind: Who makes these reports to your office on what has been done, and who passes on these reports? reports?

Mr. MERITT. The Reclamation Service makes the reports to the Indian Office and submits their bills.

The CHAIRMAN. Do you O. K. their bills?

Mr. MERITT. Yes, sir; for those projects under the units being constructed by the Reclamation Service.

The CHAIRMAN. This is what I am trying to get at ultimately: By what authority of law did they start into those two units exceeding the appropriation that we had authorized them to work under?

Mr. MERITT. Until last year there was no law limiting them to any particular units.

The CHAIRMAN. Then this work was done before this law of limitation came into effect?

Mr. MERITT. Yes, sir; they have been working on that Blackfeet project now since 1908.

The CHAIRMAN. Then unless a change is made in the law, they can go on increasing the number of units indefinitely and hold us for it?

Mr. MERITT. As long as Congress will make the appropriation.

#### **STATEMENT OF HON. JOSEPH DIXON, UNITED STATES SENATOR.**

The CHAIRMAN. Senator Dixon, we had up the question yesterday with reference to the disposition of certain timber in your State.

Senator DIXON. On the Flathead Reservation?

The CHAIRMAN. Yes. We desire to have a report from you relative to the matter.

Senator DIXON. I have a report in my office from Commissioner Valentine's chief lumber jack out there. Something ought to be done with that timber.

Let me say to you first, gentlemen, that act ought to be amended, and I was thinking yesterday of preparing an amendment to offer in the Senate. In the original classification and appraisement of Flathead land we provided for four classifications—timber, first class and second class; agriculture, and grazing. Under the peculiar wording of that act the commission which appraised it, wherever they found the land was worth, I think, about \$2.50 or \$3 an acre, and wherever the timber in their judgment was an excess value as to the land itself, they would call it "timber land." There are probably 10,000 or 20,000 acres classified as "timber land" where there is not



100,000 feet of timber to the quarter section. It is the finest agricultural land on the reservation, and under a cross fire order of the Commissioner of Indian Affairs and the Commissioner of the General Land Office about 250 settlers went in there and settled.

The Commissioner of the General Land Office issued one kind of an order, and the Commissioner of the Land Office another as to these lands being available for reservoir sites. About 250 settlers went in under the order of the Commissioner of the General Land Office, who instructed the Register and Receiver to suspend their filings temporarily. They went in with the best of faith and settled.

Commissioner VALENTINE. The letter of the Commissioner of the General Land Office instructed the register and receiver to let these men file, and then suspend the entries without further action.

Senator DIXON. A settler came down to see me before I left home and showed me the figures as to his locality. I think there were only 50 trees on the land, and yet it was appraised as "timber land." I think it was \$1.25 per acre land. Under that theory this board of appraisers appraised thousands of acres there as "timber land," which is the finest red apple irrigated orchard land in the country. I have been in hopes that they could reclassify some of this unquestionably agricultural land, which is carried as timber and can not be entered.

There is about a billion and a half feet of fine merchantable timber on that reservation. The appraisers appraised it at a minimum price of \$3 a thousand.

It was appraised at the high peak of the timber excitement about four years ago. The proceeds from the sale of the timber under this bill goes into the fund for the construction of the ditches. There are about 1,500 settlers there who have filed on these excess Indian lands with the definite understanding that the same would be irrigated. These settlers are in a deplorable situation. You see, the irrigation scheme irrigates the Indian allotments, and where the lands of the white settlers are located among the Indian allotments, their lands are to be irrigated also. They have been waiting there two years for the water to irrigate their lands. You loaned us \$100,000 one year and \$400,000 last year. The timber sales and land sales all goes into the irrigation fund. It is the greatest undeveloped fruit belt country in the Northwest.

There are about 1,500 settlers sprinkled among these Indians, and, of course, the reclamation engineers in irrigating the land naturally and properly run the ditches where the Indian allotments are thickest. Practically no white allotments have been irrigated yet. This timber was appraised at \$3 a thousand, appraised at the very highest peak. They advertised about 75,000,000 feet for sale and did not get a bid. Under the appraisement there had to be bid an upset price of \$3, and result was not a single bid.

There should be a more elastic situation in regard to that timber.

Mr. BURKE. How many Indians are there on the Flathead?

Senator DIXON. About 2,200—about 400 white Indians and 1,800 real Indians.

Mr. BURKE. How much money has been received so far from the sale of the Flathead opening?

Senator DIXON. I should have to make a guess. There were about 1,400 entrymen went in there. Their homesteads are mostly 40-acre

tracts, under the ditches, so they would average about 80 acres, and the land at an average appraised value of \$3 per acre would be \$240 per entry. There has probably been \$120,000 paid at this time into the reclamation fund from the land sales.

Mr. BURKE. How much do you estimate they are going to receive from the sale of their lands and timber?

Senator DIXON. I should say \$5,000,000.

Mr. BURKE. How much have we appropriated thus far?

Senator DIXON. About \$600,000.

Mr. BURKE. There is no doubt in your mind that what moneys we may appropriate in the future will be ultimately reimbursed?

Senator DIXON. No more than that the national debt will be paid.

Commissioner VALENTINE. I think you are a little bit low in the amount hitherto appropriated. Does it not run up to \$900,000?

Senator DIXON. No; timber sales that included land sales and town sites, and everything went into that fund.

Commissioner VALENTINE. I mean the amount appropriated by Congress.

Senator DIXON. No; you loaned them \$50,000, and another year \$100,000, and last year \$400,000. There are a lot of town sites that have been sold.

Mr. BURKE. The important thing I wished to get your opinion about was the prospect of their having money, so that there will be no question about the reimbursement of such moneys as we may appropriate.

Senator DIXON. Without a mental reservation I should say that it is as safe as a Government bond for \$5,000,000.

Commissioner VALENTINE. The timber is worth that.

Senator DIXON. There is a billion and a half feet of timber.

Mr. BURKE. Has that timber suffered any on account of fire in recent years?

Senator DIXON. Quite; there has been quite a severe fire.

Mr. BURKE. Is there a lot of it that ought to be marketed?

Senator DIXON. There is a lot that ought to be sold immediately.

Mr. BURKE. How would you propose that to be done?

Senator DIXON. I would give Saltzman carte blanche to sell that timber. It is lying there rotting. It will be ruined in another year. It has laid there 18 months now. I have pounded the department as vigorously as I knew how to get action immediately.

Mr. BURKE. Here is a proposition estimated for in a supplemental estimate for an appropriation to equip some sawmills and put them in operation.

Senator DIXON. That was Saltzman's suggestion to me, that they should have a little portable mill. He is an old-time real timber man. He is from what was Vice President Sherman's district, and went into the service in the old days. Saltzman believes that if he had a little portable mill he could move it about and make use of this fire-killed timber. There are 1,500 settlers that have no timber. They have not been able to buy it in that great country. The timber that was advertised was not sold, and they are hauling timber in there 30 miles, when there are millions of feet of it, fire killed and down. If they had a little portable mill or two they could cut 20,000,000 feet of it and sell it.

The CHAIRMAN. How is the market for it?

Senator DIXON. They are hungry for it. As it is, the average settler has to haul his timber 20 miles, with these millions of feet of fire-killed timber laying down and standing that could be cut. It is a bad situation.

Commissioner VALENTINE. There is a suggestion which I think should go into the record on one part of your statement. One of the reasons why we did not get the upset price of \$3 at which the timber was appraised, was because the forest fires through the country threw an enormous amount of dead and down timber on the market. There is another point that should be considered in that connection. I am absolutely in agreement with Senator Dixon that this is a solidly and sanely reimbursable proposition.

Senator DIXON. Beyond any question.

Commissioner VALENTINE. But in order to do what any prudent business man would do, a ruling reason, it seems to me that we should sell—of course we have been making every effort to sell this down timber and this burned timber, and that is why we are advocating the small appropriation to carry out the sawmill plan. But the standing timber, the timber that is not overripe or mature, and that will increase in value, is not that lot of this timber that was burned in these tremendous fires of year before last.

Mr. BURKE. Will this appropriation enable you to make and market any quantity of timber, so that it will amount to anything?

Commissioner VALENTINE. It will enable us to save the timber that, as the Senator says, is now deteriorating very rapidly.

Mr. BURKE. He says that unless it is sawed up by next year it will be practically ruined. Will this appropriation enable you to take care of it?

Commissioner VALENTINE. Yes; it will enable us to make a start so that we can keep going.

Mr. FERRIS. Senator Dixon, one question before we get off that subject. It is very apparent from the statement of yourself, and also of the commissioner, that something should be done with this timber.

Senator DIXON. It is urgent.

Mr. FERRIS. I wish to ask you this: Has that timber been appraised?

Senator DIXON. It was all appraised where it was burned, and dead, and down. It still stood at \$3

Mr. FERRIS. Does the law limit them to get a certain fixed price for it?

Senator DIXON. Yes.

Mr. FERRIS. That they are not able to do?

Senator DIXON. That they are not able to do.

Mr. FERRIS. Have you not a little bit of hesitancy in recommending that the Federal Government go into the logging business?

Senator DIXON. It would not be my policy to ask the Government to do that, but you have an urgent situation. We have a man there who is a thorough old-time lumberman, who knows the business from the ground up. If Saltzman could go in there with a small portable sawmill he could cut that dead and fire-killed timber as economically as any privately owned mill.

Mr. FERRIS. If they remove the exaction under existing law, that they must receive a certain price for the lumber, could not they not

just as advantageously sell it in its present form without launching the Federal Government on this venture?

Senator DIXON. That might be possible. The trouble about the Government is that it always takes about a year to get anything advertised.

Mr. FERRIS. If this fixed appraisement was removed could it not be sold to private individuals who hire out plants in running equipment to do business? Could it not be sold more rapidly than we could get this appropriation made available by Congress, and the Indian Office and Federal Government in motion, and actually sawing that timber?

Senator DIXON. That is a matter of policy. The thing to do is to get quick action. My guess is that the timber will be ruined, as it has been laying there 18 months now, and you know how quickly fire-killed timber deteriorates. The thing is to get quick action. My judgment is that there is half a million dollars worth of that dead and down timber, if manufactured. The fire just swept through the upper ends of the reservation and left it in horrible shape.

There is another thing I wish to take up, the matter of irrigating the Flathead Reservation lands. There are 1,500 settlers who have settled there on the excess vacant lands. The irrigation scheme was outlined, but they are staying there without water. They are in a lamentable condition. It is a very bad situation. Savage wanted \$700,000 this year to carry on the work of building canals for the Indian lands, but the department, in its efforts for economy, cut it to \$250,000. We are making paupers of these men and their families, keeping them there waiting for water. Last year we made the appropriation \$400,000.

Mr. BURKE. We have a practice, as you know, of paying interest to the Indians on moneys deposited in the Treasury. What would you say to reversing that proposition, and where we advance moneys to the Indians have it bear interest?

Senator DIXON. I would not object to that.

The CHAIRMAN. When were these mills put up?

Senator DIXON. He has none. That is what he is asking for now. He has five so-called rangers, but they are mostly half-breeds, and people are going in there and cutting the timber and they can not keep them from it. Men simply have got to have poles to fence their ranches. If Saltzman had the proper authority he would save those Indians \$100,000 on the timber situation. But the irrigation system is the crying need, not only for the Indians, but for the whites. We are already committed to the policy and why postpone the work? Savage will have 40,000 acres under water by the 1st of June. The lands of these Indians are not worth anything until they are irrigated. The minute they are irrigated they are worth \$75 an acre. They will sell under the hammer for that. Why should we not increase that appropriation and be done with it? Their lands can be leased for \$3 an acre cash as soon as they are irrigated. I say that \$5,000,000, conservatively, is the amount of cash these Indians will have from land and timber sales. They have a water power that was reserved in the original bill that will sell for \$1,000,000. The engineers tell me that, outside of Niagara, it is the greatest water power on the continent.

Commissioner VALENTINE. I did not know whether you wanted to speak in that connection of this agency item.

Senator DIXON. I did not know that item was in the bill. I was going to prepare an amendment to cover it. The old Flathead Agency was built about 40 years ago. It is a disgrace to the Government. It is away over on one corner of the reservation where the Indians do not live. There is only one decent house at the agency. They are old rotten shacks. You have been there, have you not, Commissioner?

Commissioner VALENTINE. No; I am sorry to say, that I have not been there.

Senator DIXON. Abbott and Leupp were there. It is the most miserable, rotten set of agency buildings you ever saw, over on one corner of the agency.

Commissioner VALENTINE. It ought to be among the Indians.

Senator DIXON. It ought to be among the Indians.

The CHAIRMAN. How old are these buildings?

Senator DIXON. About 40 years old, except the agent's house which the Indians built. It is a pretty fair house.

The CHAIRMAN. All timber?

Senator DIXON. Yes; all timber. The rest of them are old, rotten shacks, a disgrace to the Government.

Commissioner VALENTINE. I call your attention to the fact that this is a reimbursable item.

Senator DIXON. It should be, for these Indians will have plenty of money.

The CHAIRMAN. Will the proposed agency site be nearer the center of the Indian land?

Senator DIXON. There is a reservation site of 80 acres for an Indian agency at Ronan already provided for in the law.

The CHAIRMAN. Is it an available place for a town site?

Senator DIXON. Yes; there is a town there now of 600 or 700 people.

The CHAIRMAN. Will it interfere with that in any way?

Senator DIXON. I do not think so. The Indians are also congregated around the old St. Ignatius Jesuit Mission. You have got 100 acres for a town site there. Either St. Ignatius or Ronan are over in the center of the Indian allotments.

The CHAIRMAN. Where we mix an agency with a town site we have trouble with streets and lots.

Senator DIXON. The town is laid off at the end of this 80 acres which was reserved for agency purposes.

The CHAIRMAN. It would be better to have an independent site for the agency, would it not?

Senator DIXON. I think so. I think that at one time one of your inspectors recommended a site on a proposed railroad 2 miles west of Ronan.

The CHAIRMAN. I do not think that there would be any objection to the town adjoining the reservation, but it should not be on the reservation.

Senator DIXON. There is another matter I wish to bring up while I am here, which I intend to have considered in the Senate. There is a young quarter-breed clerk at the agency, Omer D. Lewis, who

has a very just claim against the Government, and I intended to provide for it by an amendment to the bill in the Senate. He should be given \$1,000 or \$2,000.

Mr. BURKE. It has been cut down here to \$73.25.

Senator DIXON. That is a crime. I did not know that his claim was carried in the bill here. He is a young clerk at the agency. They had had a lot of trouble about whisky. Half of the time of the Federal courts has been taken up with the cases of these bootleggers. Lewis is a quarter-breed boy who has a wife. Maj. Morgan sent him down to stop some whisky which was being brought in. They were short of policemen, and the Indian policemen were not dependable. The young man went down and met some big bootlegger, who took a knife and cut him until they thought he was going to die. They prosecuted the bootlegger and he received six months sentence. When the boy recovered he could not talk, the knife having severed his vocal cords. I was going to put in a claim for \$2,500, and you have him in here for \$73.25.

Commissioner VALENTINE. We are paying his expenses.

Mr. BURKE. You would not put that in the Indian appropriation bill.

Senator DIXON. Where can we put it?

Mr. BURKE. In the claims bill. It has not any place in this bill. It is purely a claim.

Senator DIXON. That boy should have some recompense. He was wounded in the line of duty as much as a man in war.

Commissioner VALENTINE. He ought to have a pension. There is no question about that.

Senator DIXON. He can just barely whisper. The doctor says the vocal cords are severed.

Let me suggest one other thing. By this bill the commissioner is going to appoint appraisers to reappraise that appraised land, 6,000 or 7,000 acres. What I want is to give them wider authority to take this land, which has been mistakenly classified as timber land, and reappraise that, and call it agricultural land.

Commissioner VALENTINE. I should be in favor of that, because I am absolutely in favor of each acre of land being put to its highest use.

Senator DIXON. Yes.

Commissioner VALENTINE. I do not want to lose anything that is really timber land, even if there are no great number of trees on it at the present time.

Senator DIXON. I would say appraise it at its agricultural value plus the timber. I do not mean to throw the timber in. The Department of Agriculture in the forest reservations puts a limit of 400,000 feet to the quarter section. Where lands in the forest reservation carry no more than 400,000 feet to the quarter section they call them agricultural land.

Commissioner VALENTINE. Provided the soil is agricultural.

Senator DIXON. That Flathead land is the finest irrigated red apple land in the world.

The CHAIRMAN. What is the altitude of it?

Senator DIXON. About 3,000 feet.

Mr. FERRIS. What is the average rainfall?

Senator DIXON. Probably about 16 inches.

Mr. FERRIS. At what time of the year does that mostly fall?

Senator DIXON. In the spring, in June, and in the fall.

The CHAIRMAN. How large are the valleys to be irrigated?

Senator DIXON. The Flathead Valley, which the river cuts in two in the middle, is probably about 12 miles across on the east side, and 25 miles long, roughly, and on the west side of the river about half of that.

The CHAIRMAN. Is there any timber on it?

Senator DIXON. There is timber on the foothills. The foothills are the best land. There is a supply ditch that cuts the base of the range of the mountain that taps all of the side streams that come in. They have two or three big reservoirs to store the water. There ought to be a reclassification of that land which has only a little timber on it, and which has been classified as timber land. An appropriation of \$400,000 ought to be made for the ditches, the same as last year. We are just simply keeping the Indians and these poor white people who have gone in there in poverty until that is done. We might as well do it at once.

The CHAIRMAN. As I understand it, the surveys have already been made, and the ditches are in course of construction?

Senator DIXON. Yes, sir; they can complete it all in the next two years if they have the money.

The CHAIRMAN. If it stands in an unfinished condition is there danger of washouts and the present work being damaged?

Senator DIXON. I would not say that is a great danger. It is just a question of how fast they can extend it. It is taking land worth \$2 or \$3 an acre and making it \$75 land the minute the water is on it. There are probably only about half of the Indian allotments irrigated, as they lay down on that big wide prairie unfenced, and no revenue coming in. The minute the water gets on the land it is worth \$75 an acre.

Mr. FERRIS. The Indians do not farm it, do they?

Senator DIXON. No; and you can not make them except in rare instances.

Commissioner VALENTINE. Right in that connection before the Senator leaves, I think it would be very pertinent to put into the record a brief paragraph from my current annual report along the line the Senator has been speaking.

For the year 1910 the appropriation act carried \$11,800,000; the act for the year 1911 carried \$9,200,000; for 1912, the act of March 3, 1911 [36 Stat. L., 1058], carried \$8,800,000.

You see that is a steady fall.

And the estimates for 1913 will probably show a slight decrease further.  
\* \* \* The estimates last year were so cut to the bone that more than one year of this low limit of appropriations might seriously impair efficiency. I have tried to prevent any possibility of this impairment by lifting such appropriations in the current estimate as are necessary to secure, first, a decided improvement in the quality of our personnel, and, second, freedom from danger to Indian children and to employees from fire and from unsanitary conditions that exist because of lack of proper repair and replacement funds for our agency and school plants.

Those are the four big bases of our Indian business. Those are the reasons, if it has any at all, for the existence of the Indian Bureau.

In connection with the Senator's point it is only fair to him and to the local condition there to say that at that point, if Congress appropriates according to these supplemental estimates, and because of the vast wealth of the Indians themselves, we have the means, and at the present time, as Senator Dixon has also said, we have both in the irrigation branch and in the forestry branch the personnel to make wise use of appropriations as Congress in its discretion may make, so that it is my frank feeling that the more we delay allotment work and irrigation work the longer we are delaying the building of the foundation of the house, and consequently delaying the building and use of the house, and such rapid action as Congress might deem wise would undoubtedly be in the interest, not only of economy, but in the development of that whole section of the country.

Senator DIXON. There is no doubt about that.

Here is an Indian agent at Flathead, one of the best men in the service, and they are paying him only \$1,800 a year. He has been going to quit two or three times, but I begged him to hold on.

Mr. BURKE. What bond does he have to give?

Senator DIXON. \$40,000 I think, and he pays for that out of his salary. He is one of the best young fellows in that State. I begged him not to quit last year. We do not fix salaries any more. They are fixed by the Indian Office. That man should have a salary of \$3,000.

The CHAIRMAN. The next item is:

For continuing the construction of irrigation systems to irrigate the allotted lands of the Indians on the Fort Peck Indian Reservation, in Montana, and the unallotted irrigable lands to be disposed of under authority of law, including the necessary surveys, plans, and estimates, one hundred thousand dollars, reimbursable in accordance with the provisions of the Act of May thirtieth, nineteen hundred and eight.

Mr. MERITT. I desire to submit the following justification in support of this item:

*Fort Peck, Mont.*

Number of Indians.....	1, 756
Land that may be irrigated.....acres.....	170, 000
Cost per acre.....	<sup>1</sup> \$25. 00
Amount expended to July 1, 1911.....	\$185, 319. 82
Estimated cost as far as the project is now outlined.....	\$2, 500, 000. 00
Value per acre when irrigated.....	\$50. 00 to \$100. 00

The following is a statement of the estimated cost of construction proposed for the Fort Peck project for the fiscal year ending June 30, 1913:

It is proposed to continue work on the Poplar River unit, now constructed in part, and to begin construction of work on other small streams for the irrigation of lands now allotted and being allotted to the Indians. A majority of all the irrigable lands covered by the projected units have been allotted. The allottees, with irrigation, will be able to raise good, profitable crops while, as demonstrated during the past dry seasons, crops without irrigation will probably be a complete failure. There is a steady demand for all forage crops throughout this section, and a ready local market is found for all produce that the Indians can raise. It is proposed to utilize to advantage Indian labor and Indian teams. The work is located on different parts of the reservation, and will furnish employment to Indians who otherwise would not leave their present immediate places of residence.

<sup>1</sup> Rough estimate only.



## CONSTRUCTED WORK.

*Little Porcupine unit.*—Works diverting water from the Little Porcupine Creek and irrigating about 1,180 acres in the vicinity of Fraser were completed last season. The works for this unit include a storage reservoir in which flood waters and also the run-off outside of the irrigation season may be stored; however, no water was available this season for irrigation or storage.

*Poplar River unit.*—The Poplar River unit as planned comprises a storage reservoir in T. 32 N., R. 49 E., and three canals designated A, B, and C Canals. A and B Canals will irrigate lands on the west side of Poplar River, approximately 10,000 and 6,000 acres, respectively, and C Canal will irrigate about 8,000 acres on the east side of the river.

B Canal, including the diversion dam, the concrete head works, and the distribution system, has been practically completed. The head works for C Canal and some 6 miles of the main canal have been constructed.

## PROPOSED WORKS.

With the appropriation requested, it is proposed to continue the construction of the Poplar River unit, completing the C Canal covering about 8,000 acres, to construct to part capacity the storage reservoir, and to begin the construction of the Big Porcupine and Big Muddy units.

The works proposed and estimated cost of construction are as follows:

*Poplar River unit.*—The completion of C Canal to cover 8,000 acres on the east side of Poplar River, the head works, and about 6 miles of the main canal being completed:

Excavation, 200,000 cubic yards, at 20 cents-----	\$40, 000
Lateral system, 8,000 acres, at \$7 -----	58, 000
Structures -----	14, 000
Telephone line, 25 miles -----	2, 500
Engineering, supervision, and contingencies, 20 per cent-----	22, 500
Total-----	135, 000

*Storage reservoir.*—This reservoir will store eventually 31,000 acre-feet. An earth dam is proposed having a maximum height of 45 feet, a top width of 20 feet, and side slopes of 3 to 1 and 2 to 1 on the upstream and downstream sides, respectively. The estimated cost of the dam and controlling works is as follows:

820,000 cubic yards embankment, at 35 cents-----	\$387, 000
Outlet structure and operating works-----	15, 000
Foundation -----	10, 000
Spillway -----	10, 000
Engineering, supervision, and contingencies, 20 per cent-----	64, 000
Total -----	386, 000

It is proposed at first to construct this dam to part height only, expending in the fiscal year 1913 about one-half of the estimated cost, or \$193,000.

*Summary of expenditures for the Poplar River unit.*

C Canal-----	\$135, 000
Reservoir-----	193, 000
Total -----	328, 000

*Big Porcupine unit.*—The plans for the construction of this unit contemplate the diversion of the flood waters of Big Porcupine Creek and the irrigation of about 4,000 acres of first-class land lying on the east side of the creek and on the east of Milk River, in the vicinity of Wlota and adjacent to the main line of the Great Northern Railway. Discharge measurements of Big Porcupine Creek show the run-off during the irrigation season to have been about 4,300 acre-feet for the season of 1909 and about 5,100 acre-feet for the season of 1910.

It is proposed to construct a low diversion dam and a main canal about 10 miles in length and having a capacity of 70 second-feet, together with the lateral system for 4,000 acres. No storage is feasible.

The estimated cost of construction is as follows:

Diversion dam -----	\$6,000
Headworks -----	1,500
Main canal, 40,000 cubic yards, at 20 cents -----	8,000
Lateral system, 4,000 acres, at \$5 -----	20,000
Engineering and contingencies -----	7,100
Total -----	42,600

*Big Muddy unit.*—This unit covers about 10,000 acres in townships 29, 30, and 31 north, ranges 30 and 31 east, and lying on the west side of Big Muddy Creek, which forms the eastern boundary of Fort Peck Reservation. The lands are very flat. The soil is heavy. It is believed that good crops of hay and grain may be produced under proper cultivation and irrigation. On the east side of the Big Muddy Creek a branch line of the Great Northern Railway, extending from Bainville on the main line to Plentywood, parallels the tract at a distance of about 6 miles, and affords good transportation facilities.

The water supply is limited to the spring floods and to limited storage on Wolf and Smoke Creeks, tributary to Big Muddy Creek from the west. Records of stream flow show a discharge of about 6,200 acre-feet for the year 1909, practically all of which occurred between April 20 and August 31. In April, 1910, there was a discharge of about 2,100 acre-feet. In March, 1910, there was considerable run-off, of which there is no reliable measurement. There are no data of run-off from Wolf and Smoke Creeks, their discharge being included in the measurement of the run-off from Big Muddy Creek.

It is proposed to construct three diversion dams at points shown on drawing. The irrigable lands are very flat and generally slope away from the creek bank. Water can be held on the greater part of the lands by means of dikes, and can be conveyed to the remainder of the lands through small distributary ditches. The small slope and the great uniformity of the surface of the irrigable lands make possible the construction of a flood-water system of irrigation at a very low cost.

Sites of storage reservoirs on Wolf and Smoke Creeks are shown on drawing. The areas and capacity of the Wolf Creek Reservoir for various elevations of water surface (assumed datum) are shown in the following table:

Elevation of water surface.	Area in acres.	Capacity in acre-feet.
112	269	2,325
114	331	2,925
116	410	3,650
118	474	4,550
120	541	5,550
122	610	6,700
124	691	8,000

The stream bed is at elevation 92 feet. With a top width of 10 feet, slopes of 3 to 1 and 2 to 1 on the upstream and downstream sides, respectively, and with crest elevations of 123 feet and 129 feet, the quantity of material in the dam would be about 85,300 and 129,700 cubic yards, respectively.

The areas and capacities of the Smoke Creek Reservoir for various elevations of water surface (assumed datum) are as follows:

Elevation of water surface.	Area in acres.	Capacity in acre-feet.
112	165	1,748
114	172	2,085
116	186	2,443
118	201	2,630
120	220	3,251
122	242	3,713
124	262	4,221
126	281	4,768
128	299	5,348

The stream bed is at elevation 92 feet. With a top width of 10 feet, slopes of 3 to 1 and 2 to 1 on the upstream and downstream sides, respectively, and with crest elevation of 133 feet, the quantity of material in the dam would be about 75,600 cubic yards.

An estimate of cost of the proposed works outlined herein and as shown on drawing S 3336 is as follows:

Three diversion dams, at \$3,400.....	\$10,200
Three headworks structures, at \$1,600.....	4,800
Distribution canals, 200,000 cubic yards of excavation, at 15 cents.....	30,000
Dikes, 80,000 cubic yards, at 15 cents.....	12,000
Drainage system, 50,000 cubic yards of excavation, at 25 cents.....	12,500
	<hr/> \$69,500
Wolf Creek Dam:	
85,300 cubic yards, at 40 cents.....	34,120
Protection works.....	10,000
Outlet structure.....	5,000
	<hr/> 49,120
Smoke Creek Dam:	
75,600 cubic yards, at 40 cents.....	30,240
Protection work.....	10,000
Outlet structure.....	5,000
	<hr/> 45,240
Engineering and contingencies.....	41,000
Total.....	<hr/> 204,860

## SUMMARY.

A summary of proposed expenditures is as follows:

Poplar River unit.....	\$328,000
Big Porcupine unit.....	42,600
Big Muddy unit.....	204,860
Total.....	<hr/> 575,460

Supplementing estimate dated July 5, Fort Peck project, fiscal year 1912-13. Construction work on Fort Peck project has just been discontinued, the appropriation having been expended, except for a small amount being held in reserve for contingencies.

Neglect to provide funds last year for the continuation of this work is exceedingly unfortunate. It is obviously imperative that sufficient of the funds provided for carrying on the construction work on the Fort Peck project for the fiscal year 1912-13 be available immediately on passage of the act in order that plans may be perfected, outfit assembled, and construction work started by April 1, 1912.

The construction work, so far, has been performed almost exclusively by the Indians, working as laborers and with their teams. They have made an extraordinarily good showing, creditable alike to themselves and to the local administration.

In face of the proposed opening up to homestead of the major portion of this great reservation, it seems that the least Congress can consistently do is to allot sufficient funds, reimbursable, to permit these Indians to construct by their own efforts irrigation works to bring to their allotments the available water, without which they can by no possibility secure a livelihood from their restricted allotments. It is not necessary on the Fort Peck project to employ practically all outside teams, laborers, and machinery. The Indians have given an especially good account of themselves and demonstrated their ability and desire to perform the major portion of the work themselves.

In compliance with the expressed wishes of the department the future work projected has been restricted to the small canals from streams running through the reservation. Practically all of the lands under all of the canals is already allotted to the Indians.

## FORT PECK PROJECT, MONT.

\$200,000 have been appropriated for this reservation by the act of May 30, 1908 (35 Stat. L., 558).

\$185,319.82 have been expended for irrigation work on this reservation, of which \$37,5665.10 was expended prior to the inception of the present project. The estimated cost to complete this project to irrigate approximately 170,000 acres of land is \$2,147,851.54.

It is necessary for the Government to prosecute this work diligently to comply with the State law regarding the appropriation of water in order to reserve the valuable water rights filed on for the Indians.

The Reclamation Service estimated that \$575,460 would be required to carry on the work during 1913.

All appropriations are to be reimbursable.

The Indian Office bill contains an item for \$100,000 for 1913.

Is this a new item, Mr. Meritt?

Mr. MERITT. They have done some construction work up there.

The CHAIRMAN. Under what authority of your Indian Office has that work been done?

Mr. MERITT. Under an act of Congress, but there was no appropriation last year for this item. The Reclamation Service did not submit their estimates in time, so last year we did not include a request for an appropriation in our Indian Office estimate.

The CHAIRMAN. Have your office submitted their statements showing the amount expended?

Mr. MERITT. Yes, sir.

The CHAIRMAN. What is the amount that they show that they have expended on the Fort Peck Reservation?

Mr. HOLT. \$183,014.94.

The CHAIRMAN. Has already been expended on that project?

Mr. HOLT. Yes, sir; and \$2,000 or \$3,000 for maintenance, which was undoubtedly expended on the reservation. This \$2,000 was undoubtedly expended for the Indian service on small ditches constructed in the past.

The CHAIRMAN. Can you inform us as to whether this was all one unit or not?

Mr. HOLT. There are several—Poplar River units, Muddy Creek unit.

The CHAIRMAN. Which one have they been doing the work on?

Mr. HOLT. They have been working on the Little Porcupine unit and Poplar River unit.

Mr. MERITT. The Porcupine unit is practically completed—98 per cent completed.

The CHAIRMAN. And how much of the other?

Mr. MERITT. From this map it shows very little of the other completed. There are three canals in the other project, and they have completed, I believe, one of those three canals. The other is to be taken out on the other side of the same river, and this map shows what they have completed colored green, and the red color is what they intend to do with the \$575,400 the Reclamation Service requested during the year, and they also intended to start work on the Big Porcupine unit.

The CHAIRMAN. That is an entirely new one?

Mr. MERITT. That is an entirely new one, and some surveys have been made in the Muddy Creek unit.

The CHAIRMAN. Would either of those last-mentioned ones justify an appropriation for the Indians or is not that for whites?

Mr. MERITT. As I remember, something like 80 per cent of land is allotted to Indians.

The CHAIRMAN. That is what the last two projects or units would require?

Mr. MERITT. There is another large project that I believe Congress turned down two years ago—the Missouri River gravity canal.

The CHAIRMAN. Has your office authorized the making of surveys in those two units?

Mr. MERITT. The Secretary of the Interior instructed them to do no further work on the Missouri River gravity canal, but to carry on investigation and work on the smaller projects that were mentioned.

The CHAIRMAN. How much will it take to complete those projects that you are already at work on?

Mr. MERITT. One is practically completed, and it will require \$193,000 to build the Poplar River units; that is the Reclamation Service estimate.

The CHAIRMAN. How much?

Mr. MERITT. \$193,000.

The CHAIRMAN. That we would have to appropriate still to complete the second unit.

Mr. MERITT. Each of them—the two units.

The CHAIRMAN. They show no request for the Little Porcupine unit; for the other two units they estimate the Big Porcupine to cost \$42,600, and the Big Muddy unit, including two storage reservoirs, to cost about \$200,000.

Mr. MERITT. Neither one of those had work done on them?

The CHAIRMAN. Only survey work.

Mr. MERITT. In Montana it is necessary under the State law to carry on work diligently in order to hold the water filed on for the Indians.

The CHAIRMAN. Is that the reason these projects are rushed?

Mr. MERITT. That is the main reason these appropriations are requested in order to hold the water that has already been filed upon. I think if there is no work done for three years we forfeit our filings. I believe that is the State law in Montana.

The CHAIRMAN. Do not the reclamation projects by the whites have to go through the Secretary's office—the same office that these Indian reservations are controlled by, and those irrigation matters?

Mr. MERITT. The filings are all made under the State law, and I believe the State of Montana changed its laws and extended the time from one year to three years in order to help out the Reclamation Service with their various projects.

Mr. BURKE. Did you state how much had been expended on this project?

Mr. HOLT. \$183,000.

Mr. BURKE. Has that been expended in construction work?

Mr. HOLT. It has been expended in construction work and surveys.

Mr. BURKE. How much of it in surveys and how much of it in construction, do you know?

Mr. HOLT. I have not those figures.

Mr. BURKE. Have you been expending money there the last year or two?

Mr. HOLT. The Reclamation Service were working there until some time in July, when their appropriation run out, and since then they are merely beginning the work. The work was unfinished and placed in the hands of caretakers.

Mr. BURKE. How much will be required to complete the work that is now under project?

Mr. HOLT. Their estimate shows \$193,000 for the work that is now under way, and they requested funds for two other new units.

Mr. BURKE. And how much would be the estimated cost of what is contemplated?

Mr. HOLT. \$575,400.

Mr. BURKE. More than what has been expended?

Mr. HOLT. More than what has been expended.

Mr. BURKE. Then the original estimated cost of \$2,600,000—\$2,000,000 of that was contemplated would be necessary in connection with the gravity Missouri River project, and that was abandoned?

Mr. HOLT. Abandoned temporarily.

Mr. BURKE. At least, Congress did not make any appropriation to authorize it?

Mr. HOLT. No, sir.

Mr. BURKE. Perhaps Mr. Meritt would have to answer this question. [To Mr. Meritt] Mr. Meritt, what is the situation in the Fort Peck Reservation at this time as to the disposition of surplus lands and the survey, etc., of the reservation?

Mr. MERITT. The Indians are being allotted now, I believe. There are about 1,700 Indians on this reservation, and they are being allotted under the act of May 30, 1908 (35 Stat. L., 558).

Mr. BURKE. Have they actually been allotted or are now being allotted?

Mr. MERITT. The most of the Indians, I believe, have been allotted. I do not know whether the allotment schedules have been approved.

Mr. BURKE. When were the surveys made, if you know?

Mr. MERITT. I could not tell you the exact date.

Mr. BURKE. When is it likely that there will be an opening for the disposition of surplus lands, if you can state?

Mr. MERITT. It is hoped that the reservation may be opened either this coming summer or a year from now.

Mr. BURKE. There was no appropriation made for this project either for the fiscal year ending June 30, 1911, or June 30, 1912, was there?

Mr. MERITT. No appropriation made for last year.

Mr. BURKE. Was there any the year before?

Mr. MERITT. I do not think there was.

Mr. HOLT. The only appropriation made was May 30, 1908.

Mr. BURKE. Is there any possibility of using from the general funds for irrigation purposes such money as may be necessary to see a particular work that has been done heretofore without a direct appropriation being made, as it is proposed here?

Mr. MERITT. The general fund it is hoped to be used for other special work, mostly in the Southwest, where the Indians are with-

out funds and are dependent on the gratuity appropriations. The general fund is a gratuity appropriation, as you know.

Mr. HOLT. Mr. Burke, there is a provision in the general fund that it can not be used upon those projects for which specific appropriations have been made.

Mr. BURKE. We did not make any specific appropriation for that project for that very purpose.

Mr. HOLT. There is an appropriation made for the irrigation of that reservation.

Mr. MERITT. But if they leave out the appropriation item in this year's bill, there will be no specific appropriation available, and any work necessary we would have to fall back on our general irrigation item. That is the point I wanted to bring out.

Mr. BURKE. Do you remember, Mr. Meritt, about how much land these Indians will have as a surplus to be disposed of?

Mr. MERITT. They have altogether 1,774,000 acres.

Mr. BURKE. That is for the allotments; you think there will be about that amount to be disposed of?

Mr. MERITT. No; there will be about a million and a quarter acres—over a million acres to be disposed of after the allotments have been made.

Mr. BURKE. What is the character of land, whether subject to agriculture, timber, or grazing land?

Mr. MERITT. Some of it is grazing and some agricultural lands; most of it is grazing at this time.

Mr. HOLT. Under the unit completed the reclamation records show that there are 1,900 acres of land now under ditch and ready for water, and under the Poplar River unit there is several thousand acres—probably about 5,000 or 6,000. I have not the exact figures here, but judging from the number of sections in the land that is now under ditch and will be ready for irrigation next year.

The CHAIRMAN. The next item is:

For fulfilling treaties with Crows, Montana: For pay of physician, one thousand and two hundred dollars, and for pay of carpenter, miller, engineer, farmer, and blacksmith (article ten, treaty of May seventh, eighteen hundred and sixty-eight), three thousand six hundred dollars; for pay of second blacksmith (article eight, same treaty), one thousand two hundred dollars; in all, six thousand dollars.

Mr. MERITT. That is a treaty item, and I should like to submit a justification for it, as follows:

*Fulfilling treaties with Crows, Montana.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$6,000. 00
Fiscal year ended June 30, 1911:	
Unexpended balance from previous appropriations.....	9,983. 10
Amount appropriated.....	6,000. 00
	15,983. 10
Amount expended.....	5,814. 37
	10,168. 73
Analysis of expenditures:	
Employees .....	5,759. 66
Photographic supplies, miscellaneous, etc.....	54. 71
	5,814. 37

## FULFILLING TREATIES WITH THE CROWS.

Amount asked for \$6,000.

The United States by the treaty of May 7, 1868, obligated itself to provide certain employees for the Crow Indians. In order to carry out this agreement the amount estimated should be provided for the employment of the employees called for in the treaty provision.

The CHAIRMAN. The next item is:

For subsistence and civilization of the Northern Cheyennes and Arapahoes (agreement with the Sioux Indians, approved February twenty-eighth, eighteen hundred and seventy-seven), including subsistence and civilization of Northern Cheyennes removed from Pine Ridge Agency to Tongue River, Montana, ninety thousand dollars; for pay of physician, two teachers, two carpenters, one miller, two farmers, a blacksmith, and engineer (article seven, treaty of May tenth, eighteen hundred and sixty-eight), nine thousand dollars; in all, ninety-nine thousand dollars.

Mr. MERITT. That is another treaty item. I should like to submit a justification in support of this item as follows:

*Support of Northern Cheyennes and Arapahoes: Subsistence and civilization, Montana.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$90,000.00
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Fiscal year ended June 30, 1911:

Amount appropriated.....	90,000.00
Amount expended.....	78,201.24

Unexpended balance .....	11,798.76
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Analysis of expenditures:

Employees.....	12,838.98
Construction and repairs.....	1,083.01
Heat, light, and power.....	646.92
Subsistence.....	40,493.08
Dry goods, clothing, etc.....	158.20
Hardware, implements, etc.....	10,778.03
Furniture and household goods.....	241.97
Medical supplies.....	721.83
Live stock.....	650.00
Forage.....	3,396.39
Traveling expenses.....	7.35
Telephoning.....	148.10
Stationery and office supplies.....	814.57
Care and maintenance of pupils (Mission School).....	5,543.06
Care of insane Indian in Wyoming State Hospital.....	600.00
Miscellaneous.....	81.75

78,201.24

*Support of Northern Cheyennes and Arapahoes: Employees, Montana.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$9,000.00
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Fiscal year ended June 30, 1911:

Amount appropriated.....	9,000.00
Amount expended.....	8,372.77

Unexpended balance .....	627.23
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Analysis of expenditures, employees.....	8,372.77
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## SUPPORT OF NORTHERN CHEYENNES AND ARAPAHOS.

Amount asked for, \$99,000.

This item is for the purpose of fulfilling the requirements of a treaty with the Indians. Of the amount asked for nearly \$25,000 is to be used for the payment of salaries of employees, nearly \$50,000 for the purchase of supplies and other articles to be issued to the Indians, over \$5,000 for the education of the children, and a large portion is used for the purchase of stock and forage for same, leaving the remainder to be used for such various purposes as may arise.

The CHAIRMAN. You have inserted the words "of the Northern Cheyennes and Arapahoes." Why was that done?

Mr. MERITT. Those words were placed in the bill this year in order to comply with the terms of the treaty. For some reason during the past years those words have not been included in the appropriation bill.

The CHAIRMAN. The next item is:

For the employment of "line riders" along the southern and eastern boundaries of the Northern Cheyenne Indian Reservation in the State of Montana, one thousand five hundred dollars.

Mr. MERITT. I should like to submit a justification in support of that item, as follows:

*"Line riders," Northern Cheyenne Reservation, Mont.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$1, 500
Fiscal year ended June 30, 1911:	
Amount appropriated.....	1, 500
Amount expended.....	718
Unexpended balance.....	782
Analysis of expenditures, employees.....	718

LINE RIDERS, NORTHERN CHEYENNE RESERVATION, \$1,500.

This appropriation is necessary to protect the southeastern line of the reservation, where there is no fence. Since this appropriation has been provided, during the past few years, the complaints have ceased as between the Indians and the white settlers.

The appropriation requested is necessary in order to properly protect the interests of the Indians on the Northern Cheyenne Reservation.

The CHAIRMAN. There are two amendments here.

Mr. MERITT. In support of the amendment authorizing the payment of \$75 to Mr. Schmidt I should like to submit a justification as follows:

In September, 1909, the school herd of the Rainy Mountain School, on the Kiowa Reservation, Okla., broke pasture several times and damaged a field of Kafir corn belonging to J. H. Schmidt. The principal of the school and the superintendent of the Kiowa Reservation have reported that the sum of \$75 is a reasonable charge for the damage actually done. The claim is considered to be just, and it is recommended that payment be authorized from funds applicable.

Mr. FERRIS. Just one word in that connection. I am acquainted with the Schmidt claim. The agency cattle got out from the Rainy Mountain School and destroyed this man's crop. Both the Kiowa agent and the Rainy Mountain School people have told me that it is a just claim. It is only \$75 and I think he ought to be paid. The

cattle ate up his crop, and the school superintendent says it ought to be paid.

The CHAIRMAN. What justification have you to support the claim of Omer D. Lewis for \$73.25?

Mr. MERITT. I should like to submit a justification for this request as follows:

Omer D. Lewis, lease clerk at the Flathead Indian Agency, on May 7, 1911, by direction of the superintendent of the Flathead Indian School, met a certain train of the Northern Pacific Railway Co. to ascertain whether any liquor was about to be introduced into the Indian country in violation of the act of January 30, 1897 (29 Stat., 506), and while in the act of searching the person of John Buckingham was assaulted by said Buckingham with a knife. In order that Mr. Lewis might receive proper treatment, he was taken to St. Patrick's Hospital at Missoula, Mont., where he remained from May 7 to May 18, 1911. Mr. Lewis was put to the expense of \$73.25 for this treatment, for which it is believed he should be reimbursed. Affidavits on file in the Indian Office show that Mr. Lewis, as the result of a wound received in the throat, will probably never be able to speak above a whisper. This claim is a very meritorious one, and it is believed that appropriation should be made by Congress to pay the same.

Mr. BURKE. Mr. Meritt, referring to the item on page 27 of the bill, proposing an appropriation "For subsistence and civilization of the Northern Cheyennes and Arapahoes" and that portion of it that appropriates \$9,000, being the amount stipulated by article 7 of the treaty of May 10, 1868, that treaty obligation no longer existing, the treaty having long since expired, can we not, without injury to the Indians and the administration, leave it out and not appropriate for it?

Mr. MERITT. Under the terms of the treaty Congress is not required to make this specific appropriation. The money could be very advantageously used for the benefit of these Indians. If Congress sees fit to strike out this item it would be necessary, of course, for the Indian Service to get along without the appropriation.

The CHAIRMAN. The next item to be considered is:

Sec. 10. For support and education of three hundred Indian pupils at the Indian school at Genoa, Nebraska, and for pay of superintendent, fifty-three thousand six hundred dollars; for general repairs and improvements, six thousand dollars; to complete the construction of two dormitories provided for in the Indian appropriation act of March third, nineteen hundred and eleven, ten thousand dollars, or so much thereof as may be necessary, to be immediately available; in all, sixty-nine thousand six hundred dollars.

Commissioner VALENTINE. In support of that item, I desire to submit a justification, as follows:

*Indian school, Genoa, Nebr.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$55,100.00
Also appropriated for buildings, 1912, \$40,000.	
<hr/>	
Fiscal year ended June 30, 1911:	
Amount appropriated.....	54,100.00
Amount expended.....	53,403.64
<hr/>	
Unexpended balance.....	696.36
<hr/>	

## Analysis of expenditures:

Employees.....	\$21,600.39
Construction and repairs.....	1,404.33
Heat, light, and power.....	8,281.06
Subsistence.....	9,554.40
Dry goods, clothing, etc.....	6,800.40
Hardware, implements, etc.....	3,147.69
Furniture and household goods.....	1,393.09
School room supplies.....	371.30
Medical supplies.....	388.92
Forage.....	35.80
Telephoning.....	87.00
Stationary and office supplies.....	224.56
Miscellaneous.....	114.70

58,403.64

Also, \$11,500 for buildings in 1911 act, all of which has been used.

*Indian school, Genoa, Nebr., 1913.*

Support, education, etc.....	\$53,600.00
General repairs and improvements.....	6,000.00
Completion of dormitories.....	10,000.00

Total.....	69,600.00
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Total value of school plant.....	\$245,565.00
Capacity.....	275
Enrollment.....	318
Average attendance.....	278
Number of employees.....	31
Total salaries.....	\$22,800.00

## Appropriation, 1911:

Support and education.....	50,400.00
Pay of superintendent.....	1,700.00
General repairs and improvements.....	2,000.00
Erection of employees' quarters.....	7,500.00
Enlarging shop building.....	4,000.00

Total.....	65,600.00
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## Expenditures, 1911:

Administration.....	1,700.00
Operation.....	59,907.32
Plant.....	13,778.33

Total.....	75,385.65
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Cost per capita, exclusive of repairs and improvements to plant and new construction.....	193.73
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## Appropriation, 1912:

Support, education, etc.....	52,100.00
Repairs to heating plant.....	5,000.00
Two new dormitories.....	35,000.00
General repairs and improvements.....	3,000.00

Total.....	95,100.00
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## Superintendent's estimates for 1913:

Absolute necessities.....	77,567.00
Urgent needs.....	5,000.00

Total.....	82,567.00
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This is a nonreservation school and draws its pupils from Nebraska and adjoining States, and is the only Government boarding school in the State of Nebraska. It is believed that this school will be needed to take care of the Indian scholastic population of the State of Nebraska for approximately 10 years to come.

The \$10,000 requested for completion of dormitories and made immediately available is necessary in order to secure the kind and capacity of building desired, the amount appropriated for 1912 being insufficient.

The additional amount of \$1,500 in the support item over the appropriation for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

The increase of \$1,000 in the repair and improvement item over the appropriation for the fiscal year 1912 is required in order to bring the school plant up to a state of efficiency which will permit the accomplishment of better work and the obtaining of more successful results.

Mr. BURKE. Is there a farm in connection with the school at Genoa, Nebr.?

Commissioner VALENTINE. That is my understanding. I have never been there.

Mr. BURKE. Do you know what it comprises?

Commissioner VALENTINE. I do not know the acreage.

Mr. BURKE. Speaking generally, should not these schools that have a farm get along with less money than schools that do not have a farm?

Commissioner VALENTINE. Most decidedly.

Mr. BURKE. Do they, as a matter of fact?

Commissioner VALENTINE. I am afraid that they do not.

Mr. BURKE. Why is that?

Commissioner VALENTINE. It is chiefly due to the training and quality of the men under the salaries that we pay that we are able to get them to handle these schools.

Mr. BURKE. What is done with the proceeds from the farm? If anything is sold it does not go into the treasury, does it?

Commissioner VALENTINE. It goes into what we call "Indian moneys, class 4," and is reavailable for use at the school.

Mr. BURKE. Speaking of this school at Genoa, Nebr., the average cost per capita of maintaining that school is \$193.73. I will call your attention to Haskell, which is \$164.44; the school at Mount Pleasant, Mich., \$172; at Albuquerque, N. Mex., \$146.51; Santa Fe, \$171.96, and ask you if you can tell us why the school at Genoa, Nebr., seems to run so much higher in per capita cost?

Commissioner VALENTINE. I can not answer your question, Mr. Burke, for the reason that we have not the records available for me to give an accurate answer.

Mr. BURKE. I wish, for the information of the committee, that you would look into that matter a little so as to inform yourself in order that we may know why there is this difference in the support of schools.

Now, I call your attention to the school at Pierre, S. Dak. The per capita cost is \$164.94. Rapid City, S. Dak., \$173.70. Unless there is some reason for it, the school at Genoa, Nebr., ought not to be permitted to spend an average of \$30 or \$40 per capita more for maintaining pupils than they do in other schools.

Commissioner VALENTINE. Your position, of course, is entirely correct from my point of view.

Commissioner VALENTINE. When I make the general statement which I spoke to you about the other day, I think I can show your

committee some reasons why we are acting very largely in the dark on these very vital administrative matters. It may all be summed up by stating that we are not in the position, either with men or money, to make what has been best exemplified in late years by the Pittsburgh survey. That is, we do not know where we stand, and there is no use in disguising that fact either from myself or the committee.

Mr. BURKE. You will remember that we had in the law a provision limiting the amount that might be expended at any of these schools to \$167, and that was repealed at the instance of the Indian Office.

Commissioner VALENTINE. At my very urgent solicitation.

Mr. BURKE. It was thought, possibly, if that were repealed that the cost per capita would materially be increased, and I am extremely anxious to ascertain whether that has been the fact. I notice that all of the South Dakota schools appear to be within that limit. Flandreau is \$164.

**STATEMENT OF HON. DAN V. STEPHENS, A REPRESENTATIVE  
FROM THE STATE OF NEBRASKA.**

The CHAIRMAN. The item in which you are interested, I believe, is on page 28 of the bill, the Indian school at Genoa, Nebr.?

Mr. STEPHENS. Yes; Mr. Chairman and gentlemen, I have before me the estimate made by Supt. Davis, of the Indian school at Genoa, Nebr., as to the requirements of that institution for the next year. In the first draft of the bill which I have before me there is omitted four items contained in his estimate. The first is for cottage for superintendent, \$6,000; second, for cottage for gardener, \$3,000; third, for additions to hospital and superintendent's office, \$3,500; and fourth, for the construction of septic tank on sewer main, \$1,500, making a total of \$14,000 omitted from this first draft of the bill, as included in the superintendent's estimate.

Now, the superintendent states to the Indian Department in regard to the first item:

The school is very short of suitable quarters for its employees. No separate quarters for its superintendent have been provided. This item has been many times recommended, not only by the superintendent but by nearly every visiting official during the last five years. The Indian Office register for 1910 shows an appropriation of \$3,000 for said purpose. After trial it was discovered that a suitable cottage could not be erected for that amount. Therefore, it will be seen that \$3,000 of the \$6,000 requested is already available. The present unsuitable quarters occupied by the superintendent are greatly needed for the engineer.

As to the second item he states:

The cottage for gardener is a necessity. He is now occupying quarters that were intended for the principal teacher, and the latter has inconvenient and insufficient quarters in the school building.

As to the third item he states:

The superintendent's office and the hospital should be enlarged as stated. The health of the school demands the erection and operation of the septic tank.

In conclusion he states:

I am of the opinion that every visiting field official for several years has recommended all or nearly all of these improvements.

Now, I simply lay this matter before you because I am of the opinion that these items ought to be included in this bill, and these are all statements in regard to the matter made by the superintendent.

The CHAIRMAN. Mr. Meritt, was this letter before you when you made up the estimate?

Mr. MERITT. Yes, sir.

The CHAIRMAN. What recommendation did you make or what answer did you make to the letter?

Mr. MERITT. Mr. Chairman, each superintendent submits his estimates by July 1 of each year; we take those estimates as a basis on which to prepare the estimates for the Indian appropriation bill. If you included in the estimates all requests of the superintendents the total amount of the Indian appropriation bill would be startling. It is necessary to go through those estimates and carve them down as much as possible. That is what we did this year. We reduced the estimates to the limit consistent with the actual needs of the service.

The CHAIRMAN. I see in your estimates of last year the amount was \$52,100, and you have raised it this year to \$53,600. In the first item it appears in this manner:

For support and education of three hundred Indian pupils at the Indian school at Genoa, Nebraska, and for pay of superintendent, fifty-three thousand six hundred dollars.

And then there is stricken out of the present bill:

For repairs to present heating plant, five thousand dollars, to be immediately available; for two new dormitories, thirty-five thousand dollars.

Those things were attended to last year, or are they under construction now?

Mr. STEPHENS. I do not know how that is. I notice, however, the appropriation is reduced from \$95,100 to \$69,600.

The CHAIRMAN. You see the amount of \$40,000 for new construction is cut out this year.

Mr. STEPHENS. I would like to ask Mr. Meritt if his department recommended \$3,000 last year for the superintendent's residence, and if so why they cut it out this year?

Mr. MERITT. The bill as passed by Congress last year did not include a residence for \$3,000.

Mr. BURKE. Mr. Stephens says you recommended \$3,000 for a superintendent's dwelling last year, and asks you why you cut it out this year?

Mr. MERITT. I do not recall that recommendation, Mr. Chairman.

Mr. STEPHENS. The statement I have says:

This item has been many times recommended not only by the superintendent but by nearly every visiting official during the last five years. The Indian Office register for 1910 shows an appropriation of \$3,000 for said purpose, which remains unused. It was not used because it was not sufficient to construct the cottage. Now, the superintendent asks that this amount be increased from \$3,000 to \$6,000. He also states that the present unsuitable quarters occupied by the superintendent are greatly needed for the engineer. I would like to know whether other schools have houses for the help, and if they have I do not know why this school should not have. It appears that the gardener is now occupying quarters that were intended for the principal teacher and the latter has to live in the schoolhouse. Now, if that is true it strikes me this appropriation is essential. I do not want these

people to have this if it is not needed, but I am taking his statement that these people have no houses to live in.

The CHAIRMAN. The next item is:

Sec. 11. For support and civilization of Indians in Nevada, including pay of employees, eighteen thousand five hundred dollars.

The CHAIRMAN. I see that you have struck out the words "of the Western Shoshone Agency," and increased the amount from \$8,000 to \$18,500.

Commissioner VALENTINE. There are a good many Indians scattered through Nevada who are very much lacking in the same activities that are extended to them in other sections. They are not, by all means, attached to the Western Shoshone Agency. I think it would be unfortunate to limit them to that agency.

I offer a justification for this item, as follows:

*Support of Indians of Western Shoshone Agency, Nev.*

Fiscal year ending June 30, 1912, amount appropriated----- \$8,000. 00

Fiscal year ended June 30, 1911:

Amount appropriated----- 8,000. 00

Amount expended----- 7,720. 86

Unexpended balance----- 279. 14

Analysis of expenditures:

Employees----- 2,732. 55

Repairs and improvements----- 47. 40

Heat, light, and power----- 516. 00

Subsistence----- 1,301. 73

Dry goods, clothing, etc----- 80. 50

Hardware, implements, etc----- 1,992. 47

Furniture and household goods----- 146. 38

Medical supplies----- 348. 64

Live stock----- 325. 00

Forage----- 124. 37

Stationery----- 45. 82

Seed----- 60. 00

7,720. 86

*Support of Indians in Nevada.*

[For 1911 this appropriation was styled "Support of Indians on Moapa River, Walker River, and Pyramid Lake Reservations, Nev."]

Fiscal year ending June 30, 1912, amount appropriated----- \$10,500. 00

Fiscal year ended June 30, 1911:

Amount appropriated----- 8,500. 00

Amount expended----- 8,171. 67

Unexpended balance----- 328. 33

Analysis of expenditures:

Employees----- 3,615. 77

Heat, light, and power----- 399. 70

Subsistence----- 848. 46

Dry goods, clothing, etc----- 48. 23

Hardware, implements, etc----- 2,060. 99

Furniture and household goods----- 82. 19

Medical supplies----- 248. 69

Forage----- 787. 50

Traveling expenses----- 75. 96

Stationery and office supplies----- 4. 14

8,171. 67

## SUPPORT OF INDIANS IN NEVADA.

Amount asked for, \$18,500.

This item combines two which have heretofore been allowed—"Support and civilization of Indians of the Western Shoshone Agency" and "Support and civilization of other Indians in the State of Nevada."

It is not apparent why an agency in this State should be separately provided for, and as a means of better administration these items have been combined. Over \$6,000 is expended for salaries of employees at the Western Shoshone, Moapa River, and Walker River Agencies. There are over 6,000 Indians in the State whose welfare must be looked after by the various superintendents. In order to better understand the conditions existing in that State, a special agent has been appointed to locate the Indians on their lands so that they may become self-supporting and the Government at an early date reduce its appropriations for their benefit.

The CHAIRMAN. Why are the words "of the Western Shoshone Agency" stricken out?

Commissioner VALENTINE. We have combined, as you will see by turning to the next page, what are now two appropriations into one.

The CHAIRMAN. You have stricken that out?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. The next item is:

For support and education of three hundred Indian pupils at the Indian school at Carson City, Nevada, and for pay of superintendent, fifty-one thousand six hundred dollars; for general repairs and improvements, seven thousand dollars; in all, fifty-eight thousand six hundred dollars.

Commissioner VALENTINE. I desire to submit a justification for that item, as follows:

*Indian school, Carson City, Nev.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$58,100.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	58,900.00
Amount expended-----	58,186.08
Unexpended balance-----	713.97
Analysis of expenditures:	
Employees-----	19,922.17
Construction-----	2,073.47
Repairs and improvements-----	3,107.92
Heat, light, and power-----	7,506.41
Subsistence-----	9,912.04
Dry goods, clothing, etc-----	6,504.58
Hardware, implements, etc-----	1,230.29
Furniture and household goods-----	3,102.19
Schoolroom supplies-----	261.08
Medical supplies-----	338.88
Live stock-----	187.49
Forage-----	1,104.23
Traveling expenses-----	247.30
Telephoning-----	66.17
Stationery and office supplies-----	253.75
Miscellaneous-----	388.06
	58,186.08
Support, education, etc-----	51,600.00
Repairs and improvements-----	7,000.00
Total-----	58,600.00



Total value of school plant	\$142,952.34
Capacity of school	325
Enrollment	272
Average attendance	254
Number of employees	28
Total salaries	\$19,840.00

**Appropriation, 1911:**

Support, education, etc	\$51,900.00
General repairs and improvements	5,000.00
Total	56,900.00

**Expenditures, 1911:**

Administration	1,900.00
Operation	49,104.64
Plant	5,181.39

Total 56,186.03

Cost per capita exclusive of repairs and improvements to plant and new construction	187.61
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**Appropriation, 1912:**

Support, education, etc	50,100.00
Repairs and improvements	6,000.00
Total	56,100.00

**Superintendent's estimates for 1913:**

Absolute necessities	64,435.00
Urgent needs	7,040.00
Total	71,475.00

Carson draws its pupils from Utah and Nevada. The work has been efficient at a reasonable cost per capita.

The additional amount of \$1,500 for support over the appropriation for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

The increase of \$1,000 for repairs and improvements is required in order to bring the school plant up to a state of efficiency which will permit the service to accomplish good work and obtain successful results.

The CHAIRMAN. The next item is:

For support and education of three hundred Indian pupils at the Indian school at Albuquerque, New Mexico, and for pay of superintendent, fifty-three thousand four hundred dollars; for general repairs and improvements, six thousand dollars; for addition to girls' dormitory, including heating plant, ten thousand dollars; in all, sixty-nine thousand four hundred dollars.

Commissioner VALENTINE. I wish to submit a justification for that item, as follows:

*Indian school, Albuquerque, N. Mex.***Fiscal year ending June 30, 1912:**

Amount appropriated	\$60,900.00
Also appropriation for buildings, 1912	25,000.00

**Fiscal year ended June 30, 1911:**

Amount appropriated	56,900.00
Amount expended	55,798.62

Unexpended balance 1,106.88

**Analysis of expenditures:**

Employees	\$21,341.29
Repairs and improvements	4,659.21
Heat, light, and power	3,486.85
Subsistence	9,665.33
Dry goods, clothing, etc	8,765.87
Hardware, implements, etc	3,224.06
Furniture and household goods	1,761.02
Schoolroom supplies	267.48
Medical supplies	382.72
Live stock	162.00
Forage	1,735.04
Telephoning	52.20
Stationery and office supplies	163.45
Miscellaneous	127.10
<b>Total</b>	<b>55,793.62</b>
Support, education, etc	53,400.00
Repairs and improvements	6,000.00
Addition to girls' dormitory, including heating plant	10,000.00
	69,400.00
<b>Total value of school plant</b>	<b>\$150,669.29</b>
<b>Total salaries</b>	<b>\$22,760.00</b>
Number of employees	33
Capacity of school	300
Enrollment	338
Average attendance	326
<b>Appropriation, 1911:</b>	
Support, education, etc	\$51,900.00
General repairs and improvements	5,000.00
<b>Total</b>	<b>56,900.00</b>
<b>Expenditures, 1911:</b>	
Administration	2,100.00
Operation	47,421.91
Plant	5,271.71
<b>Total</b>	<b>54,793.62</b>
Cost per capita, exclusive of repairs and improvements to plant and new construction	146.51
<b>Appropriation, 1912:</b>	
Support, education, etc	51,900.00
Repairs and improvements	9,000.00
New dormitory for girls	25,000.00
<b>Total</b>	<b>85,900.00</b>
<b>Superintendent's estimates for 1913:</b>	
Absolute necessities	75,000.00
Urgent needs	3,000.00
<b>Total</b>	<b>78,000.00</b>

The salaries paid at this school are low, and it is deemed necessary to increase these, for which \$1,500 additional is estimated for 1913.

Repairs and improvements are needed to an extent somewhat greater than is shown by the figures above given, for which \$1,000 additional has been considered a moderate estimate for the purpose.

The addition to the dormitory, including heating plant, for which \$10,000 is requested, is required to take care of the excess in attendance over the capacity of the school, which is set out in the statistics in the forepart of this memo-

random. The capacity is 300, the enrollment 338, and the average attendance 326. Increased accommodations are therefore absolutely necessary if the children are to be properly taken care of.

The CHAIRMAN. Have they a boys' dormitory there now?

Commissioner VALENTINE. It is under construction.

Mr. BURKE. You have an average attendance there of 326 pupils, and I understand that there is no dormitory now for girls.

Commissioner VALENTINE. There is a dormitory, but it is one of the most undesirable in the country.

Mr. BURKE. This appropriation is for the purpose of building an addition to it?

Commissioner VALENTINE. Yes, sir. You see we are extending our outdoor sleeping quarters in that country, which at the same time increases the capacity of the school, and has a great bearing on the health of the children.

Mr. BURKE. I note that this includes a heating plant. Does that mean a heating plant for the school?

Commissioner VALENTINE. I should say only the girls' dormitory; so I am informed.

Mr. BURKE. Do you know what the heating plant is at that school?

Commissioner VALENTINE. Yes; I think they have what is called a central heating plant. I was there this summer for a flying visit in passing through that country.

The CHAIRMAN. Would it not be in the interest of economy to have a central heating plant?

Commissioner VALENTINE. I think that in all these large schools a central heating plant is much more desirable, much more economical, and much more efficient, and avoids the very great danger that there is from fire.

The CHAIRMAN. The climate is rather rigorous there in winter? At times it is rather cold, is it not?

Commissioner VALENTINE. Not very. It is below 5,000 feet, and owing to the altitude it has some keen weather but comparatively little snow.

The CHAIRMAN. You have to have the heat for about three months, I presume?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. The next item is:

For support and education of three hundred Indian pupils at the Indian school at Santa Fe, New Mexico, and for pay of superintendent, fifty-three thousand four hundred dollars; for general repairs and improvements, six thousand dollars; for water supply, one thousand six hundred dollars; in all, sixty-one thousand dollars.

Commissioner VALENTINE. I wish to submit a justification for that item, as follows:

*Indian school, Santa Fe, N. Mex.*

Fiscal year ending June 30, 1912, amount appropriated-----	<u>\$58,500.00</u>
Fiscal year ended June 30, 1911:	
Amount appropriated-----	58,500.00
Amount expended-----	<u>56,849.89</u>
Unexpended balance-----	<u>1,650.11</u>

**Analysis of expenditures:**

Employees	\$22,784.42
Construction	2,729.26
Repairs and improvements	973.16
Heat, light, and power	5,404.30
Subsistence	11,443.35
Dry goods, clothing, etc.	6,382.93
Hardware, implements, etc.	2,637.42
Furniture and household goods	1,349.58
School-room supplies	381.43
Medical supplies	427.11
Live stock	365.00
Forage	1,687.50
Telephoning	68.00
Stationery and office supplies	163.80
Miscellaneous	52.63
<b>Total</b>	<b>56,849.89</b>
Support, education, etc.	53,400.00
Repairs and improvements	6,000.00
Water supply	1,600.00
<b>Total</b>	<b>61,000.00</b>
Total value of school plant	\$167,311.11
Total salaries	\$23,200.00
Number of employees	36
Capacity of school	350
Enrollment	300
Average attendance	300
<b>Appropriation, 1911:</b>	
Support, education, etc.	\$51,900.00
General repairs and improvements	5,000.00
Water supply	1,600.00
<b>Total</b>	<b>58,500.00</b>
<b>Expenditures, 1911:</b>	
Administration	2,100.00
Operation	51,047.47
Plant	3,702.42
<b>Total</b>	<b>56,849.89</b>
Cost per capita, exclusive of repairs and improvements to plant and new construction	171.99
<b>Appropriation, 1912:</b>	
Support, education, etc.	51,900.00
Repairs and improvements	5,000.00
Water supply	1,600.00
<b>Total</b>	<b>58,500.00</b>
<b>Superintendent's estimates for 1913:</b>	
Absolute necessities	58,800.00
Urgent needs	18,000.00
<b>Total</b>	<b>76,800.00</b>

Certain of the salaries paid at the Santa Fe Indian School are low, and it is deemed necessary to increase them, for which \$1,500 additional is estimated for 1913.

Repairs and improvements are needed to an extent somewhat greater than is shown by the figures above given, for which \$1,000 additional has been considered a moderate estimate for the purpose.

\$1,600 has been appropriated by Congress for several years past to furnish water for the Santa Fe Indian School for domestic uses, fire protection of the buildings, for necessary domestic animals, and for irrigation of 15 acres of the school farm. This water is purchased from and supplied by the Santa Fe Water & Light Co., of Santa Fe, N. Mex.

Mr. BURKE. The average attendance at this school, Commissioner Valentine, is 300, and the average attendance at the school at Albuquerque is 326. The per capita cost of this school is \$171.99, as compared with \$146.51 at Albuquerque. I wish again that you would look into this matter, so as to give us some information as to why there is this difference. Here are two schools that are located in the same State, with practically the same attendance. Did you state that you had visited this school or the school at Albuquerque?

Commissioner VALENTINE. While my chief work was among the Pueblos in land matters, I was able to spend a few hours at both the Santa Fe and Albuquerque schools.

Mr. BURKE. Can you tell us whether these schools have farms?

Commissioner VALENTINE. They both do.

Mr. BURKE. Extensive or otherwise?

Commissioner VALENTINE. Not very extensive.

The CHAIRMAN. They are both industrial schools, are they not?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. Of the same class?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Then, does the difference in the cost per capita at these various schools result from a difference in the salaries paid, or from operating expenses?

Commissioner VALENTINE. It would be due to both.

Mr. FERRIS. I see that you have asked universally for an increase of salaries at these schools where the per capita runs up to \$171.99, just as you have where the per capita expense is down as low as \$146 and along there.

Commissioner VALENTINE. We have to make our requests for increases on the general basis of which we are sure. Many of our field employees are underpaid for the class of work they are doing. We have had no opportunity, no means, and no time to make such a careful study as would give us accurate data on which to go.

Mr. FERRIS. Expecting to use discretion in each case later?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. It would be too much if the difference in salaries amounted per capita to a difference of \$30 or \$40 a child on a school of 300 average, would it not?

Commissioner VALENTINE. Decidedly; but, you see, an increase of the amount we are asking for would hardly have that effect. You will see that the employees at Santa Fe are paid \$22,784, and at Albuquerque the salaries are \$21,341.

Mr. FERRIS. That reaches, then, back to the question that the difference must be more in the operating expenses rather than a difference in salaries?

Commissioner VALENTINE. Very much more there, apparently.

Mr. FERRIS. There must be a difference in the management of one school as distinguished from the other in order to make such an enormous difference?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. We have schools here right side by side in which the per capita difference is \$30.

Commissioner VALENTINE. I want to be perfectly fair to these local school men. I say that we have not now the data from which to know whether one is too high or the other too low.

Mr. BURKE. The salaries paid for employees at the two schools are not different?

Commissioner VALENTINE. That is Mr. Ferris's point.

Mr. BURKE. The cost of subsistence at Santa Fe is more than it is at Albuquerque. The cost of employees is not materially different, \$22,784 at Santa Fe, as against \$21,341 at Albuquerque.

The CHAIRMAN. Why should there be a difference in the cost of subsistence at the two places, or have you sufficient knowledge of the conditions there to speak?

Commissioner VALENTINE. I should say that Albuquerque had more facilities.

The CHAIRMAN. It is a larger town?

Commissioner VALENTINE. It is a larger town. I think Albuquerque is over 10,000 and Santa Fe is from 8,000 to 9,000, if I remember correctly. But Santa Fe is an hour off the main line of the Santa Fe Railroad and Albuquerque is on the main line. It has more industries, I believe.

Mr. BURKE. At Albuquerque you spent about \$2,500 more for dry goods, clothing, etc., than was spent at Santa Fe?

Commissioner VALENTINE. Yes.

Mr. BURKE. Yet the cost was less at the Albuquerque school.

The CHAIRMAN. Is it not the fact that the management has been changed recently at Santa Fe?

Commissioner VALENTINE. These schools had been under the same management for some time, up to the period that these statements were made.

The CHAIRMAN. Under the same management?

Commissioner VALENTINE. Yes; the new management has just taken hold at Santa Fe.

The CHAIRMAN. The next item is:

For pay of one special attorney for the Pueblo Indians of New Mexico, and for necessary traveling and incidental expenses of said attorney, four thousand dollars, or so much thereof as the Secretary of the Interior may deem necessary.

Commissioner VALENTINE. I desire to submit a justification for this item, as follows:

*Counsel for Pueblo Indians of New Mexico.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$2,000
Fiscal year ended June 30, 1911:	
Amount appropriated .....	2,000
Amount expended.....	2,000
Analysis of expenditures:	
Employees .....	1,500
Traveling expenses and miscellaneous.....	500
	<hr/> 2,000

## PROPOSED LEGISLATION.

SANTA FE, N. MEX., November 4, 1911.

COMMISSIONER OF INDIAN AFFAIRS,  
Washington, D. C.

SIR: In response to your favor dated October 25, initialed "EBM," requesting a justification for the appropriation for the fiscal year 1913 for the pay of one special attorney for the Pueblo Indians of New Mexico and for necessary traveling and incidental expenses of said attorney, \$4,000, I desire to submit the following brief summary of litigation now involving lands of the Pueblo Indians of New Mexico, the number of such cases, the acreage, and the value:

Pueblos.	Lands involved in litigation.	Cases.	Value of lands.
	<i>Acres.</i>		
Taos.....	25,800	3	\$105,000
San Juan.....	50	1	1,500
Santa Clara.....	8,000	2	40,000
San Ildefonso.....	1,000	1	20,000
Nambe.....	1,000	1	15,000
Cochiti.....	7,000	1	18,000
Santo Domingo.....	2,000	1	10,000
Isleta.....	25,000	1	75,000
Laguna.....	40,000	1	60,000
Total.....	109,850	12.	344,500

In addition to the above summary, I attach herewith, as Exhibit A, a report of the present condition of the suits already filed in behalf of these people.

It should be stated, for a clear understanding of the matter, that these lands are patented lands and held by the Pueblo Indians as communities in fee simple. All suits involving their landed titles must, therefore, be brought under the State laws in the future, and those which have already been filed, as shown by the above summary were, of necessity, brought under Territorial laws in Territorial courts. Since the lands are patented, it follows that the United States has no right, title, or interest in these lands and therefore the United States attorney for New Mexico can not transact this business for them. It becomes imperative, therefore, if the Indians are to be protected from land grabbers and dishonest attorneys, that the Government should take action for their protection, and this can only be done by the maintenance of a special attorney, as has been done in the past, appointed by the Secretary of the Interior and under his direct supervision and control.

The litigation comprised in the attached statement and indicated by the above summary, is only a portion of that which will be instituted in the near future for these people if the Government is to continue to safeguard their rights. There is hardly a grant, outside of the 24 owned by these Indians, which is not more or less entangled in adverse claims and squatters' titles. As is indicated by the above summary and the attached statement, much of this land is valuable, and every effort should be made to preserve them to their rightful owners. This can only be done by a conscientious attorney, acting under the Department of the Interior and paid by the United States Government.

It will be noticed from the above summary that in the 12 suits already filed for or against the Pueblos, in which the Indians are parties, there is involved 109,850 acres of land, valued at \$344,000. The cases are invariably difficult because of the intimate knowledge of Spanish and Mexican law, which is required for their successful conduct. Spanish and Mexican grants, from a legal standpoint, are notoriously involved in cases where the contest is upon land titles. It is the intention, at this time, to bring suits to quiet title on every Indian grant and thereby to settle all questions of adverse claims, and in the same cases to have official surveys made by a court surveyor, appointed for the purpose, and to have those surveys made a portion of the final decree. By this means the Indian titles will be finally adjudicated and the Indian Office can thereafter protect the Indians against all further trespasses. These suits would be expensive, due to the large number of contests which will be entered

in each case, and as the grants are extensive the surveys will be costly. Probably no case which will be brought upon the Indian grants and their purchase grants, of which there are a number, can be carried through for less than \$500. In the cases already filed there will be expended in the coming year for court expenses, transcripts of record, and surveyors' charges of not less than \$1,500, if they are carried through as expeditiously as they should be. There remain something like 8 or 10 more cases of a similar character to be brought, and they should be filed within the coming year, but no heavy expenses will be incurred in their connection until the cases now on the docket are disposed of.

In connection with my own remuneration, it suffices to state that any lawyer who will cast his eye over the statement attached and the above summary will appreciate the enormous amount of work which will be entailed in carrying the cases through, and the disproportionate nature of the remuneration now given to the Pueblo attorney is evident at a glance.

For similar litigation an attorney employed under the ordinary fee would receive very much more than any amount which Congress would be willing to appropriate for this position. However, all that is asked for by the present incumbent is to have his salary increased to a point where he can live upon the income and devote his time to this work instead of having to supplement his present income by private practice, which necessarily takes away from the time which can be devoted to Indian cases.

With reference to the legislation referred to in your letter, I desire to state that careful work will be necessary in framing the bill to be presented to Congress and I shall need a little longer time for the purpose.

Very respectfully,

FRANCIS C. WILSON,  
*Special Attorney for Pueblo Indians of New Mexico.*

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#### EXHIBIT A.

#### REPORT OF F. C. WILSON, SPECIAL ATTORNEY FOR THE PUEBLO INDIANS OF NEW MEXICO, OF LITIGATION NOW PENDING INVOLVING TITLES TO PUEBLO INDIAN LANDS.

There are 19 pueblos in New Mexico holding patented lands. This does not include the pueblo of Zuni, which, while in New Mexico, has not patented lands.

*Pueblo of Taos.*—There are three cases pending involving lands claimed by the pueblo of Taos, as follows, all in the district court of Taos County:

A. R. Manby *v.* Daniel Martinez et al. Suit to quiet title and partition.

Pueblo of Taos, a corporation, *v.* Malaquias Martinez et al., ejectment.

Herbert Newman et al. *v.* Unknown Heirs of Pedro Vigil de Santillana. Suit to quiet title and partition on the Leroux grant.

The first of the suits was filed in 1901 and has been pending ever since. An intervention was filed for the Indians in 1901, setting up claim to three tracts of land, containing about 20,000 acres. The approximate value is \$50,000. The suit is now pending, awaiting the report of the referee upon the testimony already taken, which in all probability will be filed October 1, 1911.

The second suit is in ejectment brought against the defendants who are squatting on what is known as the Joab Houghton tract. Service has been made, and the case is at issue awaiting trial. About 800 acres are involved, all of the acreage being land either under ditch, or capable of being put under ditch, and worth not less than \$50 an acre. Total value about \$40,000.

Concerning the last suit, service by publication has been had, but the case is not at issue. It should be stated that the plaintiff concedes in the complaint the Indian's claim to what is known as the Joab Houghton tract, but the defendants will unquestionably fight this claim. There are approximately 15,000 acres involved in this suit, which are worth about \$30,000. This tract also embraces about 10,000 acres of the land involved in the first of the above preceding suits, and, excluding the value of that land, a figure of \$15,000 is arrived at as a net value of the land outside of that involved in the first suit.

*Pueblo of San Juan.*—This pueblo has one case in the court at this time, entitled, "Pueblo of San Juan *v.* Miguel Casias, ejectment, in the district court of Rio Arriba County."



This case involved the right of an individual Indian to sell lands within the pueblo grant. The pueblo's case was submitted to the court in June, 1910, and the case is now pending upon a demurrer to the evidence. This involves 50 acres of the value of \$1,500, but it is a test case for the determination of the same question in possibly 50 other cases, in which suit will be brought in the event that I prevail in this cause.

*Pueblo of Santa Clara.*—There are two suits in which this pueblo is interested, as follows: Pueblo of Santa Clara, a corporation *v.* Hobart et al. Suit to quiet title. In the district court of Rio Arriba county.

This is a suit to quiet title on the entire pueblo grant. There are numerous defendants to this action, but only three so far have been served, due to lack of funds. The defendant, Hobart, has raised the plea of *res adjudicata*, based upon a decree issued by the district court of Santa Fe County in a prior suit, which was brought to set aside a certain deed and in ejectment between the pueblo and the said defendants. The matter is now pending for decision upon this plea. The suit involves 17,000 acres, 8,000 of which are directly involved in the Hobart claim. The 8,000 acres are worth not less than \$40,000.

The case of Juan Luis Garcia et al. *v.* Pueblo of Santa Clara et al. This is an injunction filed against the pueblo to enjoin the seizing of cattle upon the so-called "Shoe-string grant" and the Executive order reservation. The case is now pending upon an answer to the complaint, the answer setting up lack of jurisdiction as to the Territorial court, a demurrer to the complaint having been overruled. The only real matter at issue now is the payment of costs.

*Pueblo of San Ildefonso.*—One suit is pending in this pueblo, in the district court of Santa Fe County.

*Pueblo of San Ildefonso v. Romero et al.* This is a suit to quiet title on the pueblo of San Ildefonso grant, and involves all the lands in this grant, amounting to about 17,293 acres. Probably 1,000 acres of the grant are adversely claimed, and these lands are worth about \$20,000. Seven defendants have been served, and the matter is now pending for the appointment of a court surveyor, who will survey out the small holding claims, which will later have to be proved in court. Further service upon other defendants will be made when funds are available.

*Pueblo of Nambe.*—One suit is pending for this pueblo, entitled: "Pueblo of Nambe, a corporation, *v.* Jose Inez Roybal et al.," in the district court of Santa Fe County. Suit to quiet title on the pueblo of Nambe grant, and it is now pending upon a motion to dismiss, which has been argued and submitted. The motion was filed by the governor and several of his counsel, on the ground that I had no authority to bring this suit. It involves about 1,000 acres claimed adversely to the Indians. Value, \$15,000.

*Pueblo of Cochiti.*—This pueblo is interested in one case, entitled: "Trinidad Baca et al. plaintiffs, *v.* Unknown Heirs of Jacinto Palaez, deceased, et al.," district court of Sandoval County.

This case is pending before the referee, but will be decided at an early date, and involves all that portion of the Cochiti grant east of the Rio Grande River, approximately 7,000 acres. Value, about \$18,000. This suit involves a conflict with the La Majada grant, the Indians claiming adversely to all others in the suit. The referee has already reported in favor of the Indians' claim, but the matter was reopened for further testimony relating to the conflicting claims of the other parties. As to the Indians, therefore, the matter is in reality pending the confirmation of the referee's report by the court. Also the Indians claim nearly one-half of the La Majada grant under an ancient deed. This claim has been decided by the referee adversely to the Indians, to which ruling exceptions were duly taken.

*Pueblo of Santo Domingo.*—There is one suit in which these Indians are interested entitled "Pueblo de Santo Domingo *v.* Rivera et al." District court of Sandoval County. This suit is at issue as to seven defendants, and service has been had by publication on all unknown claimants. A referee has been appointed, and the matter is now before him. The suit is brought to quiet title to the entire pueblo grant, comprising 92,000 acres. The actual conflicts which will be litigated cover about 2,000 acres. Value, about \$10,000.

*Pueblo of Isleta.*—There are three cases in which this pueblo is interested, as follows: Sanchez et al. *v.* Pueblo of Isleta. In the district court of Valencia County. Suit to quiet title on 25,000 acres of the pueblo grant, called the Lode Padilla grant, claimed by the plaintiffs under an old deed executed in 1796. The entire grant has been patented and is claimed by the Isleta pueblo. This

case is at issue and the testimony has been taken before an examiner, with the exception of some documentary evidence to be introduced within the next week. Value of land, \$75,000.

*Pueblo of Isleta v. Pichard et al.* District court for Valencia county. This case was brought to condemn lands upon the pueblo of Isleta grant for the construction of a ditch and the reconstruction of an Indian ditch. The case was decided against us in the lower court and is now pending in the Supreme Court on appeal.

*Pueblo of Isleta v. Pichard et al.* District court for a Valencia county. This is an injunction brought by the pueblo to restrain the people of Belen from taking water out of the ditch involved in the above condemnation suit, on the ground that the defendants had not complied with the laws of the Territory of New Mexico as to appropriation of public waters. A demurrer to the complaint was sustained in the lower court on the ground that the matter was sub judice in the condemnation case and is now in the Supreme Court on appeal.

*Pueblo of Laguna.*—This pueblo is interested in one case called the Pueblo of Laguna *v.* Unknown Claimants, etc. District court for Valencia County. This is a suit to quiet title on the pueblo purchase grant, known as the Pagate purchase. There are three conflicts in this grant.

First, Cebolleta grant; second, the Baltazar Baca grant; and third, the Cidbero grant, together with a number of small holdings claimed adversely to the Indians. Testimony has been taken before an examiner in the past 10 days and is completed except for some documentary evidence, which will be introduced during the coming week. The grant contains 76,000 acres, of which about 40,000 acres are involved in adverse claims to be litigated in this case. Value, \$60,000. Nearly all the land is fit for grazing purposes only, although there are signs of coal.

In addition to the above, there are four suits in preparation but not yet filed, as follows:

The Pueblo of Acoma *v.* Pueblo of Laguna. This will be an amicable suit for the adjudication of the waters of the San Jose River. Superintendent of Irrigation Robinson has made a hydrographic survey of this river, and upon this as a basis the suit will be brought at an early date.

The Pueblo of Sandia *v.* Unknown Claimants of Lands, described in the complaint adverse to the plaintiffs. This is a suit which should be brought to quiet title on the Sandia pueblo grant. Of this grant a considerable quantity of land has already been taken away from the Indians by one means or another. It involves the entire grant of 24,187 acres, which is located in the Bernalillo Valley, and is worth, at a low estimate, \$10 an acre. There will be contests involving about four or five thousand acres, which have been taken from the Indians. Value, about \$40,000.

*Pueblo of San Juan v. Sanchez et al.* This will be a suit to quiet title on the San Juan grant and will involve adverse claims covering about 5,000 acres. Value, about \$25,000.

*Pueblo of Tesuque v. Dockweiler et al.* This will be a suit for the adjudication of the water rights of the Tesuque River. Superintendent of Irrigation Robinson has asked for sufficient funds to furnish me with a hydrographic survey of this river, and I understand that his request has been granted. As soon as the data is in hand the suit will be brought.

In addition to the above suits, as rapidly as possible, suits to quiet title will be brought on all pueblo grants and Indian purchase grants, in order that the present mixed condition of Indian land titles may be straightened out and a new start made in handling their lands. This will involve the ultimate filing of about 16 more suits.

Mr. FERRIS. How many Indians are there in this band, Mr. Commissioner?

Commissioner VALENTINE. Of the Pueblos?

Mr. FERRIS. Yes.

Commissioner VALENTINE. Under the Santa Fe school there are about 3,400 Indians of the Pueblos, under what is known as the Santa Fe jurisdiction.

Mr. FERRIS. That this attorney is to represent?

Commissioner VALENTINE. Yes. He represents also the 4,100 Indians known as under the Albuquerque jurisdiction.

Mr. FERRIS. For which he receives a separate salary?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. Is this to be the total salary?

Commissioner VALENTINE. This is the total salary for both jurisdictions.

Mr. FERRIS. Are these Indians presided over by an agent?

Commissioner VALENTINE. They are; each group by a separate agent.

Mr. FERRIS. What are the peculiar circumstances that necessitate an attorney?

Commissioner VALENTINE. The basic circumstance is that both of these Indian bands reside on lands which are old Spanish grants, and whose boundaries have been in dispute for not only decades, but generations, between the Indian occupiers and the Mexicans. As is set forth fully in the record here these various suits cover almost all the different Pueblos.

Mr. FERRIS. For how long have they had this attorney?

Commissioner VALENTINE. They have had an attorney during my relation with Indian affairs. That is seven years and over, and this attorney has been there, I think, about two or three years.

Mr. FERRIS. He was paid \$2,000 last year, I believe?

Commissioner VALENTINE. Yes, sir. That is, \$1,500 and expenses.

Mr. FERRIS. Amounting in the aggregate to \$2,000?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. It is proposed to pay him \$4,000 this year. Why the increase?

Commissioner VALENTINE. Because he can not by any means give up all his time to this work. This was paid to him as one retainer among a lot of others that he received for other practice. It would be desirable to have either this man or some other man give the bulk of his time to these suits.

Mr. FERRIS. Is this money reimbursable?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. It is a straight appropriation, is it not?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Would it not be possible for your superintendent and his force of agents to look after these matters for the Indians independent of any attorney?

Commissioner VALENTINE. They are not lawyers.

Mr. FERRIS. They have litigation pending now that needs the assistance of an attorney?

Commissioner VALENTINE. There are three cases pending involving land disputes in the district court.

Mr. FERRIS. Why does not the district attorney for that district of New Mexico take care of those matters, as our district attorneys do in our State?

Commissioner VALENTINE. I think it would be undesirable to have the district attorney do that, because the status of these Indians is such a peculiar one. It is a disputed question whether or not they are citizen Indians. They are citizens because they come under the treaty of Guadalupe Hidalgo if they were citizens of Spain or Mexico. The public sentiment down there, on the whole, I think it is fair to say, is rather adverse to the interests of these Indians, and it seems necessary for them to have a peculiar representative of their own.

Mr. FERRIS. I believe you stated that they had had either this attorney or some other one?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. For the past six years, was it?

Commissioner VALENTINE. There has been an attorney within my recollection of affairs. I know that a man by the name of Abbott was the attorney for a number of years.

Mr. FERRIS. Have you any record of the accomplishments of this attorney for the last five years?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Is that included in the showing that you file?

Commissioner VALENTINE. There is a long statement there simply giving the present status. We can get you up a brief statement.

Mr. FERRIS. What I was trying to do was to get a short, terse statement that we could readily grasp. This showing will cover so many pages that neither ourselves nor the committee can readily grasp it.

Commissioner VALENTINE. We will be glad to give the number of years an attorney has been employed and what has been accomplished.

Mr. FERRIS. And give the number of suits now pending, the nature of them, and why it would be unwise to have the district attorney of the county look after them.

Commissioner Valentine submitted the following information:

A special attorney for the Pueblo Indians seems to have been first provided for by the act of Congress approved July 1, 1898 (30 Stat. L., 571, 594), being Indian appropriation act for the fiscal year ended June 30, 1899. The principal duties of the attorney at that time were to represent the various Pueblos before the United States court of private land claims. The appropriation to pay the salary and expenses of such attorney was omitted from the appropriation act for the fiscal year 1901, but in the act for the fiscal year 1902 provision was made for the payment of the salary and expenses of the attorney for both the years 1901 and 1902. The duties of the attorney have changed since the first appropriation was made, as his duties now are of a more general nature. From the latest report on the subject it appears that since 1901 there have been filed by or against 9 of the Pueblos 12 suits involving 109,850 acres to the value of \$344,500. It does not appear that any of such suits have been brought to a conclusion.

It is doubtful whether the United States attorney would be available to represent the Indians in this litigation, for the reason that these Indians own their Pueblo grants under fee patents and the United States has no title thereto. Besides this, the work is very heavy, as there are practically none of the Pueblos the titles to which are not involved, more or less. It takes practically the entire time of one man to handle the litigation, and if it were considered that the United States attorney's office should handle the cases it would be necessary to have a special assistant appointed for the purpose. It will be necessary to institute additional suits in the near future for the Pueblo Indians if the Government is to continue to safeguard their interests. There is hardly a grant owned by these Indians which is not more or less entangled in adverse claims and squatters' titles. Much of the land is very valuable and every effort should be made to preserve them for their rightful owners. The litigation is necessarily tedious as the preparation of the papers requires careful examinations of the old Spanish archives, and every step taken is being fought by the interests opposed to the Indians. It is impossible to say how long it would take to bring to a conclusion the suits which have already been filed and those which it is hoped to institute in the near future.

Mr. FERRIS. Now that New Mexico is a State, clothed with a full quota of local officers, and your office provided with a full quota of special agents, superintendents, matrons, and field men, and there

being a United States district attorney there, do you not think, as a matter of policy, that it would be better when litigation comes up to employ counsel by the job or by the fee rather than to saddle on the Federal Government an annual attorney, in addition to all the officers we have to appropriate for, to take care of those people down there?

Commissioner VALENTINE. If Congress would appropriate money sufficient to pay a fee to some high-class lawyer to take up these particular cases, I think it would be a change for the better, but it would cost more money.

Mr. FERRIS. But in that way we would get rid of him when the litigation was over?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. The next item is an amendment which you offer at this point, "For constructing a bridge across Shiprock River, to be immediately available, \$16,000."

Commissioner VALENTINE. The bridge was washed away in the floods last fall.

The CHAIRMAN. What river does that bridge cross?

Commissioner VALENTINE. It crosses the San Juan, and the agency, being on the north side of the river, is removed by a river that is almost impassable even by boat a great deal of the time.

The CHAIRMAN. What is the width of that river?

Commissioner VALENTINE. It varies. In connection with this item I should like to offer a justification as follows:

This bridge is to replace a bridge at Shiprock which was totally destroyed by a flood on October 6, 1911. The San Juan River is a dangerous one to ford, and the loss of the bridge is, therefore, a serious one for the Indians, as well as to the agency employees and white people with whom the Indians have business relations. The proper handling of the affairs of the Indians renders the reconstruction of this bridge imperative.

The CHAIRMAN. I should like to ask you how much of this reservation is on the south side of the San Juan River?

Commissioner VALENTINE. The bulk of it.

The CHAIRMAN. And the river runs from New Mexico into Arizona, does it not?

Commissioner VALENTINE. It comes down from Colorado through the northwestern corner of New Mexico. It flows south of what was called the four corners—the junction of New Mexico, Arizona, Colorado, and Texas.

The CHAIRMAN. It just simply cuts off the corner of New Mexico?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. How many Indians are on that side of the river away from the agency?

Commissioner VALENTINE. The total number of Indians under the San Juan Agency is variously estimated at from 5,000 up, and I should say that more than half of them live south of the river. They did not have the bridge when I was there four years ago. Not to have the bridge cuts the Indians off from ready access to their superintendency, and cuts the superintendent off from ready access to them.

Mr. FERRIS. Did the Federal Government build the bridge that was washed away?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Is that community settled thickly by white people?

Commissioner VALENTINE. There are a good many white people. Farmington is 35 miles northeast of the agency, and there are two or three little towns of Mormon settlements, mostly for the first 15 or 20 miles, and then you come onto the reservation, and they are whites.

Mr. FERRIS. Are the Indians allotted there?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. They still hold the reservation?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. How many bridges has the Federal Government built on Indian reservations in the last five years, and how general is that practice carried on?

Commissioner VALENTINE. Offhand I should say perhaps five or six. There have been two or three bridges authorized in the Pueblo country, a bridge at Fort Duchesne, Utah. This bridge that has been washed away crosses the Little Colorado. These are the ones I recall offhand.

Mr. FERRIS. This estimate is a deficiency matter, or, at least, it is made immediately available, is it not?

Commissioner VALENTINE. Yes; because it is a replacement and urgent.

Mr. FERRIS. Should or should not matters deficiency in character go into the general deficiency bill rather than into the annual Indian appropriation bill?

Commissioner VALENTINE. I should very much dislike to see such matters go over to the general deficiency bill, because they are matters for the urgent deficiency, which, as you know, not only our department but most of the departments lost on account of the speed with which it passed. If we pass it over to the general deficiency and do not get it, we lose it for the whole year.

Mr. FERRIS. It is subject to a point of order in this form on the floor.

Mr. BURKE. It is not authorized by law, but I think we put these items in the Indian appropriation bill the same as any other bill. I think it is a proper item for the Indian appropriation bill. It is not a deficiency in the sense in which we ordinarily understand deficiencies.

I wish to ask one or two questions: What information have you that \$16,000 is required to build this bridge or that \$16,000 will build it?

Commissioner VALENTINE. Mr. Charles, our engineer, made the estimates there, and his earlier estimate for the old bridge that we put up was \$10,000. He thought we could put it in for that. The flood that we had this fall was an exceptional flood, and my understanding is that the extra \$6,000 which is estimated for for this new bridge will enable them to go back far enough and build abutments even beyond the power of another flood like this. What I wanted to make clear was that the bridge put in last year, if it had been put in, so far as our records show decades and decades ago, it would have lasted until this flood came. So there was no great underestimate in this connection. This was a very unusual flood.

Mr. BURKE. When was the old bridge constructed?

Commissioner VALENTINE. The old bridge was constructed a year or two ago. It is not an old bridge; it is a new bridge.

Mr. BURKE. Would it not be better administration to have an estimate of the cost submitted by a competent engineer before making an appropriation based upon the estimate of some supervisor in the Indian Office who may not be an engineer?

Commissioner VALENTINE. This man is an engineer.

Mr. BURKE. Did he make the plans for the bridge that was washed out after it had only been in a year?

Commissioner VALENTINE. I think so; but, as I explained, it was felt unnecessary, in the light of the past record of the river, to go to more expense, and this very unusual flood has shown that that was not wise.

The CHAIRMAN. The next item is:

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock, act of February nineteenth, eighteen hundred and thirty-one, six thousand dollars.

Commissioner VALENTINE. I would like to submit a justification for that item, as follows. It applies to both items under New York:

#### TREATIES WITH SENECA OF NEW YORK.

This item is for the purpose of paying a permanent annuity, in lieu of interest on stock, to the Senecas of New York, amounting to \$6,000, in accordance with the act of February 19, 1831.

*Justification.*—The permanent annuity in clothing and other useful articles provided by article 6 of the treaty of November 11, 1794 (7 Stat. L., 44), for the Six Nations of New York Indians is divided as follows:

\$8,500 to the members of the said nations living in New York State and \$1,000 to the Oneida Indians under the jurisdiction of the Oneida School, Wisconsin, who are a part of the Six Nations.

Under the authority contained in the Indian appropriation act approved April 30, 1908 (35 Stat. L., 70), the Commissioner of Indian Affairs sent a special agent to negotiate with the Six Nations for commutation of the said permanent annuity in 1909. The Indians in New York refused to discuss the matter, and no agreement was reached. The same special agent (W. R. Logan) succeeded in negotiating an agreement with the Oneida Indians in Wisconsin for commutation of their proportion of the permanent annuity, and this agreement was forwarded to Congress, but did not receive the ratification of that body. By direction of Congress (Indian appropriation act approved March 3, 1911; 36 Stat. L., 1058), negotiations were reopened with the Oneidas of Wisconsin for the commutation of their perpetual annuity, but failed, for the reason that the Indians were not satisfied with the proposal of the Government to commute on a basis of 5 per cent. It is the intention to make a further effort to commute the annuities of the Six Nations after the payment of the capitalized fund to the Senecas, now in progress, is completed.

Mr. BURKE. I want to ask one question, Mr. Commissioner. The amount due the Oneida Indians in Wisconsin and New York has been submitted, as shown by this statement, and they have declined to agree to the proposition, I understand?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. There seems to be, if I am correctly informed, some difference of opinion between the Indians in Wisconsin and the Indians in New York as to the portion each is entitled to, and did not that have something to do with their declining to accept the \$20,000 that it was proposed to pay them in lieu of the \$6,000 that we are paying them annually?

Mr. MERITT. The Oneida Indians did not think they were getting as large an amount as they should.

Commissioner VALENTINE. That did enter into it. Another thing that entered into it was that they felt it was not being capitalized on a sufficiently large rate.

Mr. BURKE. I do not think that had as much to do with it as the question of their claim that they would be entitled to a little over \$1,300 annually, and I think it has been proposed to send the matter to the Court of Claims for adjudication between these two nations. Has that come to your notice?

Commissioner VALENTINE. It has not. The matter is stated at length in House document No. 251, Sixty-second Congress, second session.

The CHAIRMAN. The next item is:

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles, article six, treaty of November eleventh, seventeen hundred and ninety-four, four thousand five hundred dollars.

Commissioner VALENTINE. The justification for the preceding item also covers this item.

The CHAIRMAN. The next is:

For support and education of one hundred and eighty Indian pupils at the Indian school at Cherokee, North Carolina, and for pay of superintendent, thirty-one thousand five hundred and sixty dollars; for general repairs and improvements, five thousand dollars; in all, thirty-six thousand five hundred and sixty dollars.

There is an increase there of nearly \$8,000.

Commissioner VALENTINE. I desire to submit a justification for that increase and for the item as follows:

*Indian school, Cherokee, N. C.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$28,650.00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	28,650.00
Amount expended.....	27,193.28
Unexpended balance.....	856.72
Analysis of expenditures:	
Employees.....	13,111.81
Repairs and improvements.....	688.14
Heat, light, and power.....	985.50
Subsistence.....	2,977.20
Dry goods, clothing, etc.....	3,846.32
Hardware, implements, etc.....	2,163.91
Furniture and household goods.....	1,221.26
Schoolroom supplies.....	147.01
Medical supplies.....	260.67
Live stock.....	500.00
Forage.....	948.91
Traveling expenses.....	21.80
Stationery and office supplies.....	252.14
Miscellaneous.....	58.61
	27,193.28
Support, education, etc.....	31,560.00
Repairs and improvements.....	5,000.00
Total.....	36,560.00



Total value of school plant.....	\$41, 815. 00
Capacity of school.....	180
Enrollment.....	150
Average attendance.....	138
Number of employees.....	20
Total salaries.....	\$13, 080. 00

Appropriation, 1911:	
Support, education, etc.....	\$26, 550. 00
General repairs and improvements.....	1, 500. 00
Total.....	28, 050. 00

Expenditures, 1911:	
Administration.....	1, 600. 00
Operation.....	24, 905. 14
Plant.....	9, 664. 14
Total.....	36, 169. 28

Cost per capita, exclusive of repairs and improvements to plant and new construction.....	176. 70
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Appropriation, 1912:	
Support, education, etc.....	26, 650. 00
Repairs and improvements.....	2, 000. 00
Total.....	28, 650. 00

Superintendent's estimates for 1913:	
Absolute necessities.....	30, 000. 00
Urgent needs.....	700. 00
Total.....	30, 700. 00

This school is eligibly situated with reference to the Eastern Cherokees of North Carolina, and it is the only source of education for them except the two or three small, poorly equipped and indifferently taught day schools on the reservation. These schools are now being much improved and the number will soon be doubled, thus providing an increased and probably a continuous supply of pupils for the boarding school and making it necessary to the Indian Service for several years to come. The new dormitory, now practically ready for occupancy, will easily increase the capacity to 180 pupils, and at least that number should be provided for.

It is partly on account of the prospective increase of pupils due to the completion of the new dormitory that it has been thought best to increase the amount to be set aside for support and education at this school. About \$1,500 of this increase is required in order to raise the salaries of certain employees to a reasonable and sufficient compensation for their services.

The school plant has been allowed to run down considerably in the last few years, and it should be restored at once, not only as an object lesson to both pupils and adult Indians, but as a measure of real and practical economy for the Government. The sum asked for will very materially improve and increase the efficiency of the plant; and to make sure of this, it is thought that about \$3,500 will be required for the purpose, and to repair and reestablish the power site on the river which was damaged by high water is a most urgent need to provide light and power for the school. This will require about \$1,500.

Mr. FERRIS. What is the status of these Indians with reference to their being able to speak English?

Commissioner VALENTINE. They are pretty well advanced.

Mr. FERRIS. What pursuits are they engaged in, if any?

Commissioner VALENTINE. Agricultural pursuits, to some extent.

Mr. FERRIS. What per cent of them actually carry on farming and agriculture?

Commissioner VALENTINE. I have not any definite data on that, but so far as my information goes, we issue no rations there, and the majority of the Indians are self-supporting.

Mr. FERRIS. They are allotted, are they not?

The CHAIRMAN. I do not think they have any lands.

Commissioner VALENTINE. They are living on tentative selections to a great extent, but they have no allotments.

Mr. FERRIS. They have no lands of their own?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. And no tribal lands?

Commissioner VALENTINE. Yes; their lands are tribal.

Mr. FERRIS. If the lands were divided, what would they have per capita in acreage?

Commissioner VALENTINE. North Carolina has 48,000 acres unallotted. There are over 60,000 acres.

Mr. FERRIS. What is the total number of Indians there?

Commissioner VALENTINE. The total number of Indians, in round numbers, is 1,800.

The CHAIRMAN. Have you any estimate of the value of the land?

Commissioner VALENTINE. There is a good deal of valuable timber on the land, but we have no accurate estimate of its value.

The CHAIRMAN. It is in the mountainous regions of North Carolina?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. They do not live a reservation life, do they?

Commissioner VALENTINE. They are living on these tribal lands.

Mr. BURKE. But they are not under the jurisdiction of the Federal Government?

Commissioner VALENTINE. They are.

The CHAIRMAN. Except as they are in schools?

Commissioner VALENTINE. Well, the school superintendent there has charge of the tribal lands, just as he would have in any other section of the country.

Mr. FERRIS. They are presided over by an agent or superintendent, are they?

Commissioner VALENTINE. Yes, sir. Of course, their legal status has been in dispute for many years as to whether they are properly Federal or State Indians.

Mr. FERRIS. Have they not any tribal moneys?

Commissioner VALENTINE. Yes; from the sale of their timber tracts. They sold one tract of about 35,000 acres some time ago, which reduced their original reservation from 98,000 acres to 63,000 acres.

Mr. FERRIS. Do you know any reason why their average cost per pupil should amount to as large a sum as \$176.70?

Commissioner VALENTINE. No; I have no figures that would give the reason for that.

Mr. BURKE. As a general proposition, Mr. Commissioner, do you find that the per capita cost of children in Indian schools is less in the larger schools than it is in the smaller schools?

Commissioner VALENTINE. I could not answer that. Of course, theoretically, it should be so, and we know in many cases it is so. At Carlisle it is so, and at some of the other schools; but if we

were to analyze our figures, just what we would find I would not dare to say.

The CHAIRMAN. The next item is:

Sec. 15. For support and civilization of the Sioux of Devils Lake, North Dakota, five thousand dollars.

Commissioner VALENTINE. I desire to submit a justification for that item, as follows:

*Support of Sioux of Devils Lake, N. Dak.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$5,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	5,000.00
Amount expended-----	4,777.89
Unexpended balance-----	222.11
Analysis of expenditures:	
Employees-----	2,676.75
Subsistence-----	1,473.44
Dry goods, clothing, etc-----	15.99
Hardware, implements, etc-----	118.34
Medical supplies-----	80.33
Forage-----	407.50
Stationery and office supplies-----	7.54
	4,777.89

*SUPPORT OF SIOUX, DEVILS LAKE, N. DAK.*

Amount asked for, \$5,000.

Under the jurisdiction of the Fort Totten superintendency are 974 Indians of the Devils Lake Sioux Tribe. Of this number 149 receive rations. Three thousand dollars of the amount estimated is needed for the payment of salaries for the clerical help, leaving but a small portion to provide for the other needs of the Indians.

The CHAIRMAN. The next item is:

For support and civilization of Indians at Fort Berthold Agency, in North Dakota, including pay of employees, fifteen thousand dollars.

Commissioner VALENTINE. I desire to submit a justification for that item as follows:

*Support of Indians of Fort Berthold.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$15,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	20,000.00
Amount expended-----	19,534.40
Unexpended balance-----	465.60
Analysis of expenditures:	
Employees-----	13,098.37
Repairs and improvements-----	35.00
Heat, light, and power-----	324.84
Subsistence-----	8,904.11
Dry goods, clothing, etc-----	70.30
Hardware, implements, etc-----	1,037.43
Furniture and household goods-----	153.61
Medical supplies-----	455.26
Forage-----	245.20
Stationery and office supplies-----	46.23
Miscellaneous-----	164.06
	19,534.40

## SUPPORT OF INDIANS, FORT BERTHOLD.

Amount asked for, \$15,000.

There are under the jurisdiction of the superintendent of the Fort Berthold Agency over 1,100 Indians. Two hundred of this number receive rations, which cost approximately \$4,000. Eight thousand dollars is used for the payment of salaries for the necessary clerical help, leaving but approximately \$3,000 to provide for the other needs of the Indians. Out of this sum there must be provided forage for the stock, fuel and light for the agency buildings and other articles used for the benefit of the Indians.

The CHAIRMAN. The next item is:

For support and civilization of Turtle Mountain Band of Chippewas, North Dakota, eleven thousand dollars.

Commissioner VALENTINE. I have a justification to submit for that item, as follows:

*Support of Chippewas, Turtle Mountain Band, North Dakota.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$15,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	13,000.00
Amount expended-----	12,800.78
Unexpended balance-----	199.22
Analysis of expenditures:	
Employees-----	3,302.12
Heat, light, and power-----	433.51
Subsistence-----	3,385.94
Dry goods, clothing, etc-----	13.57
Hardware, implements, etc-----	1,980.14
Furniture and household goods-----	133.92
Medical supplies-----	346.59
Live stock-----	375.00
Forage-----	440.00
Telephoning-----	30.00
Stationery and office supplies-----	759.49
Seed-----	1,512.50
Miscellaneous-----	88.00
	12,800.78

Support of Chippewas, Turtle Mountain Band, North Dakota, \$11,000.

The superintendent of the Turtle Mountain Agency has under his jurisdiction over 2,500 Indians. In the administration of their affairs about \$3,800 is expended for salaries and approximately \$4,000 for subsisting 275 Indians on the ration roll. This agency has been in existence but a few years and many articles are needed in order to bring it up to the standard existing at other places.

Mr. FERRIS. Are these amounts reimbursable?

The CHAIRMAN. No; they are gratuitous, are they not, Mr. Commissioner?

Commissioner VALENTINE. Yes.

Mr. FERRIS. Do they have any lands or money of their own?

Commissioner VALENTINE. They have lands.

Mr. FERRIS. Have they been allotted?

Commissioner VALENTINE. Both the Turtle Mountain and the Devils Lake Indians have been. The allotment at Fort Berthold is not completed. At the other places it is.

Mr. FERRIS. How much did you allot to each Indian? What acreage did you allot to each Indian of those tribes?

Commissioner VALENTINE. At Devils Lake 135,000 acres have been allotted to 1,100 Indians. There are 92,000 acres still unallotted. At Fort Berthold the total area of the reservation is 884,000 acres. The land is now in process of allotment there under the act of March 1, 1907. At Turtle Mountain 45,000 acres have been allotted to 326 Indians. You will recall that at Turtle Mountain the area was so small that the Indians were allowed to take allotments on the public domain in addition to the allotments on the reservation.

Mr. FERRIS. Is each band of these Indians presided over by an agent?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. How many Indians comprise the Devils Lake Band?

Commissioner VALENTINE. About 980.

Mr. FERRIS. How many the Fort Berthold?

Commissioner VALENTINE. About 1,000.

Mr. FERRIS. How many the Turtle Mountain Band?

Commissioner VALENTINE. About 2,500.

Mr. FERRIS. Why did you decrease the appropriation from \$13,000 to \$11,000 in the Turtle Mountain Band and leave the others the same?

Commissioner VALENTINE. The superintendent there estimated that he could get along with less than he had had before. What his specific reasons were I do not recall.

Mr. FERRIS. What per cent of the Devils Lake Indians are now self-supporting?

Commissioner VALENTINE. I have no accurate information on that.

Mr. FERRIS. Are any considerable number of them carrying on agriculture or engaged in any other industrial pursuit?

Commissioner VALENTINE. When I was there four years ago they were raising quite large quantities of flax and corn.

Mr. FERRIS. Is that true of the Fort Berthold Reservation?

Commissioner VALENTINE. The Fort Berthold Reservation is more of a stock country, but I think they are beginning to get a start in agriculture there.

Mr. FERRIS. When do you think these appropriations for their support could be discontinued? Have you any idea of how long we will have to appropriate gratuities for these Indians until they will be in a self-supporting position?

Commissioner VALENTINE. It would be very hard to estimate, because it depends so much on how we are supplied with our industrial appropriations, and how efficiently we carry them out. But on general principles there is no reason why, if the right policies are pursued, reservations of this kind should not be made largely self-supporting within another decade.

Mr. FERRIS. Is that also true of the Turtle Mountain Band?

Commissioner VALENTINE. I should think so; yes,

Mr. FERRIS. What you have just said applies reasonably well to all three of these small bands of Indians, does it?

Commissioner VALENTINE. Yes; and to the country at large.

Mr. FERRIS. What per cent of these three bands of Indians speak English?

Commissioner VALENTINE. The Turtle Mountain Indians speak a good deal of either English or French. They have a good deal of French blood in them, and there are a great many mixed bloods

among them. I should say a very large proportion of them probably speak English.

Mr. FERRIS. What per cent of the three bands would you say are full-blood Indians?

Commissioner VALENTINE. I have no information on that point that is accurate except that a very much larger per cent—quite a substantial per cent—of the Devils Lake and Fort Berthold Indians are undoubtedly full bloods, and a comparatively small per cent of the Turtle Mountain Band.

Mr. FERRIS. The Turtle Mountain Band are intermarrying with the whites, are they?

Commissioner VALENTINE. To a great extent. There is a great deal of white blood there.

The CHAIRMAN. The next item is:

For support and education of four hundred Indian pupils at Fort Totten Indian School, Fort Totten, North Dakota, and for pay of superintendent, seventy thousand dollars; for general repairs and improvements, four thousand dollars; in all, seventy-four thousand dollars.

Commissioner VALENTINE. I should like to present a justification for that item, as follows:

*Indian school, Fort Totten, N. Dak.*

Fiscal year ending June 30, 1912: Amount appropriated.....	\$73,500.00
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Fiscal year ended June 30, 1911:	
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Amount appropriated .....	60,975.00
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Amount expended .....	60,403.26
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Unexpended balance .....	571.74
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Analysis of expenditures:

Employees .....	24,691.86
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Repairs and improvements .....	5,027.14
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Heat, light, and power .....	4,938.15
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Subsistence .....	12,220.36
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Dry goods, clothing, etc .....	9,307.76
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Hardware, implements, etc .....	2,350.85
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Furniture and household goods .....	1,079.57
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Schoolroom supplies .....	366.37
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Medical supplies .....	153.43
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Forage .....	69.60
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Traveling expenses .....	45.95
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Stationery and office supplies .....	51.77
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Miscellaneous .....	100.45
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	<u>60,403.26</u>
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Also \$5,000 in 1911 act for heating and lighting system, all but \$382.08 of which has been used.

Support, education, etc .....	70,000.00
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General repairs and improvements .....	4,000.00
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Total .....	<u>74,000.00</u>
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Total value of school plant .....	\$168,800.00
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Capacity .....	323
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Enrollment .....	464
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Average attendance .....	394
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Number of employees .....	42
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Total salaries .....	<u>\$26,100.00</u>
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## Appropriation, 1911:

Support, education, etc.....	\$55,975.00
General repairs and improvements.....	5,000.00
Heating and lighting system.....	5,000.00
Total.....	65,975.00

## Expenditures, 1911:

Administration.....	1,900.00
Operation.....	57,006.98
Plant.....	9,740.06
Total.....	68,647.04

Cost per capita, exclusive of repairs and improvements to plant and new construction.....	126.95
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## Appropriation, 1912:

Support, education, etc.....	68,500.00
Hospital.....	5,000.00
Dairy barn, silo, and equipment.....	3,500.00
General repairs and improvements.....	5,000.00
Total.....	82,000.00

## Superintendent's estimates for 1913:

Absolute necessities.....	73,300.00
Urgent needs.....	11,500.00
Total.....	84,800.00

This is a reservation boarding school, with a total tributary school population of 828, it drawing most of its enrollment from the Turtle Mountain and Devils Lake Reservations, and will doubtless be needed for a number of years to come, in the absence of sufficient school facilities in North Dakota.

The additional amount of \$1,500 in the support item over the appropriation for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

Mr. FERRIS. The increase asked for in this school is based on the same reasons you have offered heretofore?

Commissioner VALENTINE. Precisely.

Mr. FERRIS. And there is no different condition here than at the other schools where increases are cited?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. This is a reservation school, is it not?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. It will be used for a good many years yet?

Commissioner VALENTINE. It is filled very largely with children from the Turtle Mountain country. It draws less on children from the Devils Lake country. The school is located at Devils Lake, but the children at Devils Lake are very largely supplied education by a sisters' school, which is also located there.

Mr. FERRIS. What is the expense per capita of those in the sisters' school?

Commissioner VALENTINE. I have no information here on that subject.

Mr. FERRIS. How far removed is the Turtle Mountain Reservation from the Devils Lake Reservation?

Commissioner VALENTINE. As I recall, it is 70 miles or so.

Mr. FERRIS. The major portion of the attendance, I understand, is from the Turtle Mountain country, although the school is located at Devils Lake?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Have they any Indian school at all at Turtle Mountain?

Commissioner VALENTINE. They have four day schools.

Mr. FERRIS. Four day schools, but no boarding schools?

Commissioner VALENTINE. No boarding schools. Of course the children who are also entitled to go to this Fort Totten school belong to the Turtle Mountain band that are allotted on the public domain in Minnesota, North Dakota, and Montana.

The CHAIRMAN. Is this an industrial school?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. They are taught farming there and industrial pursuits?

Commissioner VALENTINE. Yes.

Mr. BURKE. Mr. Commissioner, this school is probably located the farthest north of any Indian school in the United States, and yet the per capita cost—\$129.65—appears to be the minimum of all the schools—at least so far as we have reached them. I call that to your attention in connection with the suggestion that you furnish us some information as to why there is this wide difference in the cost of maintenance in Indian schools throughout the country.

Commissioner VALENTINE. I should like to say in that connection, Mr. Burke, as both you and the chairman will realize, that having these figures in this form for the whole service is an innovation of the last few years, and we have been trying to get at that, for our own information, as well as for the information of Congress, so that we could run with our eyes open, and they are raising to us, of course, the same administrative questions that they are raising to you. We have not so far had the opportunity or the force to analyze them as they should be analyzed, so, as I said this morning, it is impossible at the present day to tell, with the figures at our disposal, whether the per capita cost which is apparently good at one place is producing results or not. In other words, it is a question of value. It is much better to spend \$2 and have an instrument that will last two years than to spend half that sum and have an instrument that will last only half that time, and we are not in a position to show ourselves or you those facts yet.

The CHAIRMAN. The next item is:

For support and education of one hundred Indian pupils at the Indian school, Wahpeton, North Dakota, and pay of superintendent, nineteen thousand seven hundred dollars; for general repairs and improvements, three thousand dollars; in all, twenty-two thousand seven hundred dollars.

Commissioner VALENTINE. I desire to submit a justification for that item, as follows:

*Indian school, Wahpeton, N. Dak.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$20, 200. 00
Also \$30,000 appropriated for buildings, 1912.	
Fiscal year ended June 30, 1911:	
Amount appropriated.....	25, 200. 00
Amount expended.....	22, 840. 60
Unexpended balance.....	2, 359. 40



## Analysis of expenditures:

Employees	\$9,679.87
Construction and repairs	2,903.08
Heat, light, and power	2,589.94
Subsistence	3,409.81
Dry goods, clothing, etc.	1,145.69
Hardware, implements, etc.	1,146.84
Furniture and household goods	300.81
School-room supplies	89.06
Medical supplies	65.89
Live stock	925.00
Forage	91.52
Traveling expenses	53.90
Telephoning	36.00
Stationery and office supplies	38.68
Miscellaneous	364.51

22,840.60

Also \$25,000 for buildings in 1911 act, none of which has been used.

*Indian school, Wahpeton, N. Dak., 1913.*

Support, education, etc.	\$19,700.00
General repairs and improvements	3,000.00

Total	22,700.00
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Total value of school plant	\$134,505.12
Capacity	100
Enrollment	98
Average attendance	91
Number of employees	13
Total salaries	\$8,620.00

## Appropriation, 1911:

Support, education, etc.	\$18,200.00
General repairs and improvements	2,000.00
New buildings	25,000.00
Seed, stock, and machinery	5,000.00

Total	50,200.00
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## Expenditures, 1911:

Administration	1,500.00
Operation	20,223.54
Plant	2,703.08

Total	24,426.62
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Cost per capita, exclusive of repairs and improvements to plant and new construction	221.67
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## Appropriation, 1912:

Support, education, etc.	18,200.00
General repairs and improvements	2,000.00
Additions to dormitories	30,000.00

Total	50,200.00
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## Superintendent's estimates for 1913:

Absolute necessities	18,540.00
Urgent needs	2,000.00

Total	20,540.00
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This is a nonreservation school and enrolls pupils from North Dakota, South Dakota, and Minnesota, where there are many pupils not provided for.

The additional amount of \$1,500 in the support item over the appropriation for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

The increase of \$1,000 in the repair and improvement item over the appropriation for the fiscal year 1912 is required in order to bring the school plant up to a state of efficiency which will permit the accomplishment of better work and the obtaining of more successful results.

Mr. FERRIS. This is a nonreservation school, is it not?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. How many pupils do they have there?

Commissioner VALENTINE. The average attendance is 91.

Mr. FERRIS. How many Indian schools have you in North Dakota?

Commissioner VALENTINE. Of the big schools we have Wahpeton, Bismarck, Fort Totten, and a boarding school on the Fort Berthold Reservation, and another boarding school on the Standing Rock Reservation. As I recall, there are five boarding schools. Then we have a number of day schools for Turtle Mountain, and two or three on the Standing Rock Reservation.

Mr. FERRIS. Any others?

Commissioner VALENTINE. That is all I recall at the present moment.

Mr. FERRIS. That makes in all 12 schools?

Commissioner VALENTINE. Yes, sir; besides this one.

Mr. FERRIS. Is this school included in that?

Commissioner VALENTINE. Yes, this one is included.

Mr. FERRIS. Then there are 11 schools without this one?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. All the others are reservation schools, are they not?

Commissioner VALENTINE. No, sir; the Bismarck school is a non-reservation school.

Mr. FERRIS. All excepting this one and the Bismarck school are reservation schools?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Could not the students that patronize this school at such an unusual expense be consolidated and put in some of these other schools and this school abandoned?

Commissioner VALENTINE. We sympathize with your idea, but we have turned it the other way around. We have not estimated this year for the Bismarck school, as you will see on page 32 of the bill.

Mr. FERRIS. Why could we not have followed the same course with this one with equal propriety?

Commissioner VALENTINE. I think perhaps that would be cutting a little too much at one time. Considering the statements that are made to me of the number of children that need school facilities in North Dakota, I should hesitate to do it. I am having a very careful study of the situation there made now by our field men.

Mr. FERRIS. The average attendance here is only 91, I believe?

Commissioner VALENTINE. With a capacity of 100.

Mr. FERRIS. A capacity of a hundred at an expense of \$50,200 last year, and an estimated expense of \$22,700 this year?

Commissioner VALENTINE. Yes, sir. It seems to me that it would be much wiser to increase the capacity of this school, which undoubt-

edly would have the effect of lowering the per capita cost, than to continue the Bismarck school.

Mr. FERRIS. Your idea is to discontinue the Bismarck school?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. And it would be your idea to enlarge this one?

Commissioner VALENTINE. Yes; if necessary.

Mr. FERRIS. Are they in close proximity?

Commissioner VALENTINE. The Bismarck school is up on the river, and this school is very near the Minnesota line.

Mr. FERRIS. About how far apart would that put them?

Mr. BURKE. Two hundred miles, approximately.

Mr. MERITT. They must be a hundred miles or more apart.

Mr. FERRIS. How close to the Wahpeton school in North Dakota do you have any day school or Indian boarding school? What is the nearest one?

Commissioner VALENTINE. The Sisseton Reservation is the nearest which has a boarding school.

Mr. FERRIS. And a day school?

Commissioner VALENTINE. It has two boarding schools.

Mr. FERRIS. How far away are they from this Wahpeton school?

Commissioner VALENTINE. They must be 30 or 40 miles.

Mr. FERRIS. Are there Indians residing in the neighborhood of this school at all.

Commissioner VALENTINE. Not in the immediate neighborhood, so far as I know. It is quite central for the Minnesota and North Dakota reservations.

Mr. FERRIS. A good deal of the time of the faculty is spent in gathering up students to build up the school, is it not?

Commissioner VALENTINE. No, sir; because we have cut that out. We have a system of transfers from reservation and nonreservation schools which has done away with the old soliciting business.

The CHAIRMAN. It is a nonreservation school?

Commissioner VALENTINE. Yes, sir; a nonreservation school.

Mr. FERRIS. What, if you know, was the attitude of the Indians toward the establishment of this school?

Commissioner VALENTINE. I do not know what it was.

Mr. FERRIS. What was the attitude of the Indian Office with reference to the establishment of this school?

Commissioner VALENTINE. It was before my time, but the attitude of the Indian Office, as I recall it, was, and has been since, that neither of these schools was particularly necessary for the Indians.

Mr. FERRIS. You have so recommended a number of times, have you not?

Commissioner VALENTINE. Last year I think I left them both off the estimates.

Mr. FERRIS. Where were they put in—in the House or in the Senate?

Commissioner VALENTINE. I do not recall.

Mr. FERRIS. But they got back in, and so this year you have left this one with a reduced appropriation, and have left the other one out entirely?

Commissioner VALENTINE. Yes, sir; while we are making a very careful study of the situation.

Mr. FERRIS. It would not impair the Indian school service scarcely at all to discontinue this one, would it?

Commissioner VALENTINE. The Wahpeton school?

Mr. FERRIS. Yes.

Commissioner VALENTINE. As I say, I feel perfectly certain that it would not impair the Indian school service to discontinue the Bismarck school, but I think it would be the point of conservatism to close one at a time.

Mr. FERRIS. There are two boarding schools within 30 or 40 miles, are there not?

Commissioner VALENTINE. Yes, sir; they are on the Sisseton Agency.

Mr. FERRIS. The Bismarck school, for which you have asked no appropriation, is in reality a good deal closer to the Indian reservations than this one, it is not?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Something like 200 miles nearer?

Commissioner VALENTINE. Well, it is very near; it is just a little north of the Standing Rock Reservation.

Mr. FERRIS. And pretty close to the Fort Berthold Agency, too, is it not?

Commissioner VALENTINE. It is quite a distance from the Fort Berthold Agency.

Mr. FERRIS. About how far?

Commissioner VALENTINE. Over 100 miles. Of course, I am giving you very rough estimates on this.

Mr. FERRIS. Where is Fort Berthold, with reference to the Bismarck school?

Commissioner VALENTINE. It is northwest.

The CHAIRMAN. Is this one of the schools that former Commissioner Leupp said could be dispensed with?

Commissioner VALENTINE. I think he did.

Mr. FERRIS. He recommended that, did he not?

Commissioner VALENTINE. I think he recommended that, as I recall it.

The CHAIRMAN. The next item is—

For care of buildings, including pay of employees, at the Indian school at Bismarck, North Dakota, two thousand dollars.

The CHAIRMAN. I understand that has been discontinued, has it not?

Commissioner VALENTINE. No, sir; it has not been discontinued.

The CHAIRMAN. There is no appropriation made for it, is there?

Commissioner VALENTINE. The appropriation was put in again last year, and we are, of course, conducting it loyally while Congress directs us to do so.

The CHAIRMAN. Still you are in favor of discontinuing it, as you stated just now?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. Have you any justification for this school?

Commissioner VALENTINE. Yes; I desire to submit a justification, as follows:

*Indian school, Bismarck, N. Dak.*

Fiscal year ending June 30, 1912: Amount appropriated----- \$22,700.00

## Fiscal year ended June 30, 1911:

Amount appropriated----- 22,200.00  
Amount expended----- 17,291.85

Unexpended balance----- 4,908.15  
Analysis of expenditures:  
Employees----- 6,372.33  
Repairs and improvements----- 2,099.79  
Heat, light, and power----- 1,042.51  
Subsistence----- 2,763.71  
Dry goods, clothing, etc----- 2,180.97  
Hardware, implements, etc----- 627.53  
Furniture and household goods----- 265.99  
Schoolroom supplies----- 34.49  
Medical supplies----- 110.51  
Live stock----- 695.65  
Forage----- 1,008.39  
Telephoning----- 30.00  
Stationery and office supplies----- 36.70  
Miscellaneous----- 23.28  
  
17,291.85

Also \$20,000 in 1911 act for buildings, \$18,480.27 of which has been used.

*Indian school, Bismarck, N. Dak., 1913.*

Care of buildings, including pay of employees----- \$2,000.00  
  
Total value of school plant----- \$85,423.64  
Capacity----- 60  
Enrollment----- 72  
Average attendance----- 65  
Number of employees----- 12  
Total salaries----- \$8,600.00

## Appropriation, 1911:

Support, education, etc----- 18,200.00  
General repairs and improvements----- 2,000.00  
Erection school building----- 20,000.00  
Live stock and machinery----- 2,000.00

Total----- 42,200.00

## Expenditures, 1911:

Administration----- 1,300.00  
Operation----- 14,577.68  
Plant----- 23,140.06

Total----- 39,017.74

Cost per capita, exclusive of repairs and improvements to plant and new construction----- 220.52

## Appropriation, 1912:

Support, education, etc----- 18,200.00  
General repairs and improvements----- 2,000.00

Total----- 20,200.00

## Superintendent's estimates for 1913:

Absolute necessities----- 17,610.00  
Urgent needs----- 12,375.00

Total----- 29,985.00

It is proposed to abandon the Indian school, Bismarck, N. Dak., and the amount requested is necessary to pay the salary of a caretaker and prevent the plant from deteriorating.

Mr. FERRIS. The average per capita expense of educating the children at this school is \$220.52, I believe, and the average attendance is 65 and the number of employees 12?

Commissioner VALENTINE. I ought to say, I think, to the committee that the gentlemen from North Dakota in both Houses are very earnestly of a different opinion from mine as to the need of both the schools, and have made very strong representations before me as to the need of them.

The CHAIRMAN. Is it your opinion that these children can be taken care of in other schools if these two are discontinued?

Commissioner VALENTINE. That has been the steady information of my office for years; and that there might be more specific information, I directed my chief field supervisor to make a very careful study of the conditions throughout that whole territory.

The CHAIRMAN. And he reports to you that it can be discontinued without injury to the service?

Commissioner VALENTINE. He has not reported yet. He is now studying it, but I have no hesitancy in recommending the discontinuance of the Bismarck school on the information that had been given me at the time these estimates were put in.

The CHAIRMAN. If this school is discontinued, can the buildings be used for any purpose?

Commissioner VALENTINE. They would make an admirable State institution of some kind.

The CHAIRMAN. Has there been any effort made to dispose of it to the State?

Commissioner VALENTINE. I have talked about it for a number of years to the gentlemen from North Dakota.

The CHAIRMAN. Has there been any proposition made by the State looking toward taking over the buildings?

Commissioner VALENTINE. Not that I know of; no, sir. There has been a great lack, according to my best information, of any agricultural land around the Bismarck school, which makes it difficult to handle as an industrial proposition.

The CHAIRMAN. It is an industrial school without any soil or advantages of farming, as I understand it?

Commissioner VALENTINE. Yes.

The CHAIRMAN. With reference to the \$2,000 asked for here for maintenance, I suppose that is for the care of buildings? What is that for—to pay the janitor to take care of the buildings?

Commissioner VALENTINE. That is to pay somebody to see that the wind or something else does not walk away with the buildings.

The CHAIRMAN. Have you agency buildings there?

Commissioner VALENTINE. No, sir; no agency buildings—school buildings.

The CHAIRMAN. And you can not get a caretaker to look after the property for less than that?

Commissioner VALENTINE. Of course, property left entirely by itself deteriorates very rapidly.

Mr. BURKE. In point of investment, Mr. Commissioner, there has been a great deal more expended at Wahpeton than at Bismarck?

In other words, they have an equipment there for maintaining a school, while at Bismarck they only have a small number of buildings? Is not that true?

Commissioner VALENTINE. That is my understanding; and with all due deference to the respective sections of the State, I think the climate and all is better for children at Wahpeton.

Mr. BURKE. I do not agree with you on climate, but I think perhaps it is an advantage in having a farm connected with the school very much more susceptible to agriculture than in the immediate vicinity of the Bismarck school. Is not that true?

Commissioner VALENTINE. That is my understanding.

Mr. BURKE. But in point of climate I think the Bismarck school would have an advantage.

Commissioner VALENTINE. Congress last year only authorized new buildings at Wahpeton.

# **STATEMENT OF HON. HENRY T. HELGESEN, A REPRESENTATIVE FROM THE STATE OF NORTH DAKOTA.**

The CHAIRMAN. The item which you desire to call up is:

For support and education of one hundred Indian pupils at the Indian school, Bismarck, North Dakota, and for pay of superintendent, eighteen thousand two hundred dollars; for general repairs and improvements, two thousand dollars; in all twenty thousand dollars.

What statement do you desire to make relative to that item?

Mr. HELGESEN. Well, when the estimate from the Indian Department for the appropriations of 1913 came in it became known that they had determined to recommend the discontinuance of the school at Bismarck, and being a new member and not being very familiar with the school work down there or the needs of the school I sent out to certain parties to get what information I could, and I have here some statements that I would like to read to you so that you can get a clear idea of the situation out there.

Mr. FERRIS. These are in support of your Bismarck School.

Mr. HELGESEN. Yes, sir.

Mr. FERRIS. Has its discontinuance been recommended?

Mr. HELGESEN. Yes, sir.

Mr. FERRIS. By leaving it out of the bill?

Mr. HELGESEN. Yes, sir. Here are statements made by people in Bismarck, and I think they cover the ground pretty thoroughly. The first is a statement from the superintendent, which is as follows:

As requested I send a few data concerning Bismarck School and its work, trusting they will aid in your effort to educate the Indian, the responsibility of which the Interior Department is shirking and thrusting upon the several States as rapidly as it can.

Report of H. B. Peairs, supervisor of Indian schools, for the year ended June 30, 1911, shows the following:

Number of children eligible for enrollment September, 1911.....	43, 822
Total capacity of boarding schools.....	15, 512
Total capacity of day schools.....	7, 589
Enrolled in public and mission schools, 1911.....	9, 460
	32, 560

Number who can not be accommodated, 1912..... 11, 262

Add to the 11,262 who can not be accommodated, a couple of thousand more who enroll in the day and reservation schools but attend a very small fraction of the time and hence can not read and write intelligently, if at all, and the department is trying to shift the education of over 13,000 ignorant pupils, with the lawlessness that goes with ignorance, upon the States, and this number will be increased in proportion to the number of Indian schools closed annually. Last year, 10 schools having a capacity of 700 were closed. These schools were included in the "capacity" given above.

This school, consisting of seven brick and two frame buildings (and worth to-day about \$75,000) was opened for pupils, December 1, 1908, and filled to its full capacity at once and has never fallen below it. Last year a score or more were refused admittance and Supervisor Pierce threatened to report for exceeding the rated capacity. The enrollment this year exceeds it by 10.

This school is conveniently located to six reservations not one of which has school facilities for all its children. Superintendent McFatridge, Blackfeet Reservation, Mont., wrote that he had 400 pupils without school facilities.

The work has been very satisfactory, the residents of Bismarck frequently comment upon the marked improvement of the pupils, in conduct and appearance. In the past the school has been much hampered by:

1. Lack of room for class work, and dormitory purposes.
2. The location of the school rooms close to the clatter, din, and odors from the dining room and kitchen.
3. The absence of any place for assembly gatherings, etc.
4. No suitable place for recreation during inclement weather.

With the erection of the new school building these inconveniences are no more, and the school is now equipped to double its former efficiency and there is no doubt it will make good.

Many of the boys worked with farmers in the vicinity, during vacation, and in most cases gave entire satisfaction. Some of them would have remained indefinitely were it not that their parents compelled them to go home. Two of the girls were induced to work in families. One returned to school when it opened in the fall, the other is still at work and giving satisfaction. Two boys, who, when they came here three years ago, did not know a steam engine from a wheel barrow became quite efficient in running the steam laundry. These instances could be multiplied, but these are given to show the advantage to them in attending a nonreservation rather than a reservation school, where the home associations are a perpetual bar to progress.

The pupils won the following premiums in the industrial exposition held at Bismarck this fall:

First premiums: Drawing, writing, hemstitching, darning, dressed doll, bead work, and pin cushion.

Second premiums: Crocheted jacket, crocheted slippers.

The policy of the department is "close nonreservation boarding schools and build reservation day schools." The following from Mr. Pairs's report of Fort Berthold Reservation is a fair example of the attendance on other reservations. Total population, 1,500. It has no boarding school.

Total enrollment in day schools, 76.

Average attendance in day schools, 53.

The "attendance" is computed not so much upon presence in class work as presence at the noon meal, this being the basis for school rations.

The next is some additional data furnished by the superintendent, which is as follows:

#### ADDITIONAL DATA.

Supervisor Pairs makes the following report touching the Indian schools in this State:

	Boarding schools.	Day schools.
Capacity .....	774	450
Enrollment .....	1,009	334



This shows that the boarding schools last year exceeded their capacity by 235 pupils. This year one boarding school with a capacity of 100, and a day school with a capacity of 30 (both in the Standing Rock Reservation), have been closed. To accommodate these the schools must carry 365 more than their capacity next year even with this school in operation. But the Indian Office forbids carrying in excess of capacity under penalty.

The above shows, too, that the attendance upon the day schools in this State fell short of the capacity by 116. Distance, and in many instances poverty, makes attendance upon the day schools impossible, and often the free noon meal is the only incentive. The commissioner objects to this climate as being too cold to run a school, and that the pupils have been in poor health. If his first objection has any weight whatever, then it behooves us white people to close our universities, normals, colleges, and common schools and send our children to Florida or southern California for their education. Again, if it is too cold for them in the boarding school with steam-heated brick buildings, woolen blankets, etc., with no distance to travel, what must it be in the day school (his pet), with two or three miles to travel, and that thinly clad and poorly fed?

The health of the pupils during the three years the school has been in session is a marvel to those who are familiar with the facts. Only one death and a few cases of colds, measles, and whooping cough. Dr. Fisher, the school physician, will tell of that in a letter addressed to the commercial club.

The next is a letter from the Commercial Club of Bismarck, dated December 23, 1911, as follows:

BISMARCK COMMERCIAL CLUB,  
December 23, 1911.

HON. H. T. HELGESEN,  
Washington, D. C.

DEAR MR. HELGESEN: As secretary of this organization I have been directed to acquaint you with reasons why the Indian school at Bismarck should not be discontinued.

This school draws students from three Indian reservations, viz, Fort Berthold, Fort Totten, and Fort Yates. These reservations form a triangle, and Bismarck is almost in the center, making it a very convenient location for each of these reservations.

The school itself is located within a stone throw of the Missouri River, upon a cliff, and about 75 feet above the high-water mark, and is protected with stone riprapping along the bank, put in by the Government, with separate appropriation.

The water is of the very purest to be found, and investigation by the Army Service has shown the water from the river at this point to be very pure, indeed. This applies to Fort Lincoln, and is the same identical water.

There has been some discussion as to the health of the students. I am informed by the doctor attendant that the health of the students is remarkably good.

This school being where it is, in the very country where the students were born and raised and where their forefathers were born and raised, is not one bit different from that with which they have always been acquainted. In other words, every student that comes here is already acclimated and in his natural environment of prairie, timber, water, wind, rain, summer's heat, and winter's cold. Such old men as Red Tomahawk and Red Fish (chief) send their children here when they could not be prevailed upon to send them to Carlisle—for the reason that they are still near home, where they can make occasional visits home, and also because they are not thrown into violent company. In fact, it is a fact which has come to my knowledge that many of the boy students work with the farmers in this vicinity during vacations and give satisfaction, and at least two of the girls have taken places in private families in this city, and one of them is still doing domestic work for a private family.

This advantage, in comparison with a reservation day school, is very noticeable. At a reservation day school, where the students go home at night, it is often the case that the old people scoff and find fault with the efforts of the young Indian, and this often becomes a perpetual bar to any progress among the younger generation.

To show the success of the students here, I will state that at the North Dakota Industrial Exposition held at Bismarck during September, 1911, they carried away the following prizes:

First premiums: Drawing, writing, hemstitching, darning, dressed doll, bead work, pin cushion.

Second premiums: Crocheted jacket, crocheted slippers.

This under competent judges and in competition.

Supervisor Peairs makes the following report touching the Indian schools in this State:

	Boarding schools.	Day schools.
Capacity .....	774	459
Enrollment .....	1,009	334

This shows that the boarding schools last year exceeded their capacity by 235 pupils. This year one boarding school with a capacity of 100 and a day school with a capacity of 30, both in the same reservation, have been closed. So in order to take care of these scholars thrown out of school the schools already established and now in operation must carry 365 more than their capacity, with this school in operation. If this school is closed, they will have to take care of 60 more. (This number being the capacity of this school under the requirement of 500 square feet per student.) This number was formerly 80. This school was opened December 1, 1908, and was at once filled to capacity and has never fallen below that. In fact, the superintendent has had to turn away and refuse admittance to more than a score on account of being filled to capacity. The enrollment this year exceeds the capacity by 10.

This school is convenient to six reservations not one of which has schools enough for its children.

I have Mr. Peair's report of the Fort Berthold condition and it is a fair sample of the rest from which we draw here. He says:

Total population 1,500, with no boarding school.

Enrollment in day schools, 76.

Average attendance, 53.

I understand that the "attendance" is computed from presence at noon meal, which is the basis or ration issue for schools. The honorable commissioner in his reports shows that the attendance at day schools falls short of capacity by 116, in this State. The boarding schools are always full. He also objects to this location on account of its being too cold. These Indians were born here. If it is too cold in a boarding school, with all its comforts, it certainly would be just as cold at the reservation day school, with a journey back and forth to school and then home again, and very often illy clad and poorly fed, which is not the case here.

There has been but one death at this school since it opened.

For these reasons and many others this organization respectfully protests strongly against discontinuing the Indian school at Bismarck, N. D.

Very respectfully,

A. B. WELCH, *Secretary.*

I have a letter from Gov. John Burke, dated December 22, 1911, which is as follows:

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,

Bismarck, N. Dak., December 22, 1911.

HON. H. T. HELGESEN,

*House of Representatives, Washington, D. C.*

DEAR SIR: I have just received information that the Indian school here in Bismarck is to be closed, and I am inclosing herewith copy of a letter I have written to the Commissioner of Indian Affairs.

It seems to me that it would be a great injury to the Indian children to close this school at the present time and turn these children back onto the reservations where they will be without the advantages of schools. I am writing to the Commissioner of Indian Affairs and to you solely in behalf of the Indian children; for so far as the State or the city is concerned the school is of no

great advantage to either, but it is a great advantage to the Indian children for whom it was built and it would be a great mistake to close it.

I wish you would bring all the pressure you can to bear in the interests of maintaining this school at least until these Indian reservations are organized and opened for settlement, at which time Indian schools can be established for the benefit of the children.

Wishing you all the compliments of the season, I am,

Yours, very truly,

JOHN BURKE.

The copy of his letter to Commissioner Valentine is as follows:

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
Bismarck, N. Dak., December 22, 1911.

HON. R. G. VALENTINE,  
Commissioner Indian Affairs, Washington, D. C.

DEAR SIR: Information has just reached this office from our Congressional delegation in Washington that your office is about to close the Indian school at Bismarck for the reasons that this climate is too cold to maintain an Indian school in wintertime, on account of sickness in the school, and to cut down expenses. I hope, before any definite action is taken, that you will take this matter under further consideration.

In the first place, this climate is not too cold for the Indian; in fact, this is the Indian's home, or the home, at least, of the Sioux, Grosventre, Chippewa, Arikara, Crow, and Mandan Tribes; and so long as it is the home of the Indian, as it must be on account of the large number of reservations in this State, the Indian must necessarily live in this State, and if it is not too cold for him to live here it is not too cold for him to be educated here.

In the second place, there is no more healthful a country in the world than North Dakota, as you will find by looking up the statistics on this subject. The school here at Bismarck has been exceptionally free from sickness. It has now been in operation for three years, and during all of that time there has been but one death and scarcely any sickness outside of measles, whooping cough, and colds, diseases which children are always afflicted with.

I know that it is the policy of the Government to finally turn the Indian over to the State, and I have no criticism to offer upon this policy, but the Government should not turn the Indian over until the State is ready to receive him. For instance, the children in the school here at Bismarck have their homes on Indian reservations not organized by the State and over which the State has no jurisdiction. If you should close the school here at Bismarck the children will go back onto the reservations, where there are no schools, and, soon forgetting what they have learned, will drift back into the old customs and habits of their forefathers.

To close this school at the present time would be a backward step which I feel sure the administration and your office will not be in favor of. If you have not yet done anything definite in the matter, kindly give it further consideration; and if you have made a definite order, I think the subject is of such great importance that it deserves a reconsideration by your office.

Very truly, yours,

Governor.

Now, it strikes me that it would be a very serious mistake to close that school. Of course, I do not know what the policy of the Indian Department or of this committee is, being a new member; but, from my experience and from what I have learned during a quarter of a century's residence in North Dakota, where we have a great many Indians, I am satisfied that it would be a mistake to close the school. In the first place, it is peculiarly favorably located for the purposes for which it was built.

The CHAIRMAN. How far is it from any reservation?

Mr. HELGESEN. It is about 30 miles north of the Standing Rock or Fort Yates Reservation and about 30 miles south of Fort Berthold.

The CHAIRMAN. Is there a school at Fort Berthold?

Mr. HELGESEN. No.

Mr. BURKE. It was burned about a year ago, was it not?

Mr. HELGESEN. I do not know.

Mr. BURKE. Bismarck is the capital of North Dakota?

Mr. HELGESEN. Yes, sir.

Mr. BURKE. And is located in the center of the State?

Mr. HELGESEN. It is pretty nearly in the center of the State.

Mr. BURKE. The Berthold Reservation is about 30 miles north and some little west?

Mr. HELGESEN. Very little west; it is practically north, and it is about 30 miles to the reservation line on the south.

Mr. BURKE. Where is the Wahpeton school located with reference to Bismarck?

Mr. HELGESEN. The Wahpeton school is located in the extreme southeastern corner of the State.

Mr. BURKE. On the Minnesota line?

Mr. HELGESEN. Yes; right on the Red River.

Mr. BURKE. Are there any Indians in that vicinity?

Mr. HELGESEN. Not in our State; there are some in South Dakota; there used to be a reservation right south of it. And besides the reservation in our own State there is the Crow Reservation, the Blackfeet Reservation, and the Flathead Reservation, in Montana, with no school facilities, and this is the nearest school. And, as the superintendent says in this report, in the Blackfeet Reservation there are about 400 children without school facilities.

The CHAIRMAN. That is in Montana?

Mr. HELGESEN. Yes. This is right along the road of the Northern Pacific, and this would be the nearest school, if you want them educated.

The CHAIRMAN. But suppose we provide facilities for day schools on the reservations?

Mr. HELGESEN. They have 400 children now with no school facilities.

The CHAIRMAN. Would it not be easier to provide day schools on the reservations than it would to pay their transportation and board at this nonreservation school?

Mr. HELGESEN. Well, the time may come when that may be preferable, but here you have good school accommodations and new buildings that have been in use only three years, everything brand-new.

The CHAIRMAN. I think it was a mistake to organize that school.

Mr. HELGESEN. Possibly; but if we are going to run boarding schools at all this school should be utilized; if they are going to wipe out all boarding schools and discontinue them entirely then, of course, there would be no argument in favor of this school; but as long as the system remains as it is I see no reasonable argument against this school.

The CHAIRMAN. I will call your attention to another fact in addition to the fact that we desire to educate the Indians on the reservations, and that is that we propose, as fast as we can, to turn over the Indians to the States so that the States may educate them and assume the burden of taking care of the children and relieve the General Government by doing so. We estimate that we will decrease the number of students from 25 to 40 per cent very soon and, therefore, we think we can very well discontinue the nonreservation schools first, and then afterwards let the States assume the reser-

vation schools in connection with the white schools. We believe that by educating the white children and Indian children together the Indians will advance as rapidly as the white children and be much better for the whole State and the citizenship of the State.

Mr. HELGESEN. That may be true as a plan for the future, but here is a school in operation, and you have several Indian reservations tributary to it that are not yet organized or opened for settlement, and consequently you can not organize any other school system. Now, would it be wise to close this school before you are ready to take care of those children under the new system?

The CHAIRMAN. That is a question we are investigating.

Mr. HELGESEN. It seems to me that as long as those reservations are not opened for settlement and organized so that you can have State schools both for the whites and the Indians that we ought to continue the school we have there.

The CHAIRMAN. Have you read the reasons given by the department for the discontinuance of the school?

Mr. HELGESEN. I did not know there was such a letter at first, but when I heard of it I had an interview with Mr. Valentine. I asked him why he proposed to close the school, and he said that in the first place he had been instructed by the department to cut everything, as he said, down to the quick; and he said: "I have got to cut somewhere, and I have picked on this school to be one of them." And he said another thing which was a surprise to me. He said that if we had another superintendent there he would not have minded allowing this school to continue for the next year, but under the circumstances he was in favor of closing it. Well, that is one of the biggest surprises I have had since I came to Washington, that a man should make a statement of that kind. I asked him if he thought that was the proper way to get rid of a superintendent that he did not want.

Now, of course, I realize that we have got to pay some attention to the recommendations of the Indian Department, but if their recommendations are to be based upon likes and dislikes, friendships, hatreds, and favoritism on the one side and revenge on the other, I do not know whether they deserve much consideration or not. I do not believe we should pay any attention to any recommendation coming from them that is not based on good reasons, and he assigned no other reason to me than those two, that he had been instructed by the administration to cut everything down to the quick and that he did not like the superintendent of the school. Now, if he has not better reasons than those I do not think they should be given much consideration. I understood the other day that he would report that one reason why he wanted this school discontinued was that it was not so situated that they could get farm lands close to the buildings and he believed that they ought to have some farming lands connected with the school. Now, I do not believe there is anything in that because the white people farm all around the school, and if they can I do not see why the Indians could not farm. Of course they would have to buy some lands to do farming, but they would have to do that anywhere else.

The CHAIRMAN. Is that school fitted up as an industrial school?

Mr. HELGESEN. I do not know, but I do not think it has been fitted up as an agricultural school, at least up to the present time.

But in case they would do that in the future no doubt they can get lands close to the school. The reservations that are tributary to the school have not been organized or opened for settlement so that the State can take care of them, and if you should turn them out, it looks to me like a very unbusinesslike proposition.

Mr. FERRIS. This school is at the capital?

Mr. HELGESEN. Yes, sir.

Mr. FERRIS. And the capital is pretty well in the center of the State?

Mr. HELGESEN. It is just about in the center of the State.

Mr. FERRIS. And the other Indian school is at Wahpeton, in the southern part of the State?

Mr. HELGESEN. Yes, sir.

Mr. FERRIS. And those are the only two you have?

Mr. HELGESEN. No; there is one at Fort Totten.

Mr. FERRIS. Where is that?

Mr. HELGESEN. Well, that is in the northeast quarter of the State, and it is on the Great Northern, while this is on the Northern Pacific. The two systems run through the State.

Mr. FERRIS. Did I understand that this school has been full ever since its completion?

Mr. HELGESEN. Yes; the department has been complaining because they had too many and that it has had to turn them away all the time.

Mr. FERRIS. The school was completed in 1908?

Mr. HELGESEN. It started operations in December, 1908—three years ago last fall.

Mr. FERRIS. Seven buildings, did you say?

Mr. HELGESEN. I think there are five brick buildings and two frame buildings, but seven buildings, anyway. The buildings are all new, having been built three years ago.

Mr. FERRIS. What does it cost to run the school as it has been running?

Mr. HELGESEN. Well, the appropriations that were made last year amounted to \$22,700.

Mr. FERRIS. Was there any construction in that?

Mr. HELGESEN. Yes; there was. No; I find there was not. There were some sidewalks that they wanted to put in, and they had a little money left that they asked the privilege of using for that purpose, but I do not think permission was granted.

Mr. FERRIS. What is the bare operation expense of the school, independent of improvements?

Mr. HELGESEN. Well, sir, I could not tell you.

Mr. FERRIS. It would be somewhat less than that?

Mr. HELGESEN. No; I think that is what it is.

Mr. FERRIS. You think it would cost about \$22,000 to run it at full blast?

Mr. HELGESEN. Yes. Of course, that is a matter that can be looked up.

Mr. FERRIS. Is the school full now?

Mr. HELGESEN. Yes; they have 10 more than the allotted number.

The CHAIRMAN. What is their attendance?

Mr. HELGESEN. About 70, I think.

Mr. FERRIS. As between the school at Wahpeton and the school at Bismarck, which one would you say was the most favorably located? You do not need to answer that if you do not want to.

Mr. HELGESEN. Well, I do not know anything about the school at Wahpeton, as to where it draws its students from, but I do know that this one is very favorably located for the purposes for which it was built.

Mr. FERRIS. Is the Wahpeton school running at full blast?

Mr. HELGESEN. I do not know.

Mr. FERRIS. You do not know what the attendance there is?

Mr. HELGESEN. I have not looked that up.

The CHAIRMAN. Is Fort Totten on the same road?

Mr. HELGESEN. No.

Mr. FERRIS. Did you say that the Commissioner of Indian Affairs did not like the superintendent that you have there?

Mr. HELGESEN. Yes.

Mr. FERRIS. That seems to me to be a very poor way of removing a superintendent.

Mr. HELGESEN. That is what I told him. I told him there was a better way of getting rid of him than by closing the school.

Mr. BURKE. It is something over 200 miles from Bismarck to Wahpeton, where this other school is located?

Mr. HELGESEN. About 250 miles.

Mr. BURKE. Southeast?

Mr. HELGESEN. Yes.

Mr. BURKE. And the Fort Totten School is located northeast from Bismarck about how many miles?

Mr. HELGESEN. I should judge something over 100 miles; about 125 miles or 150 miles.

Mr. BURKE. About 150 miles, I should think?

Mr. HELGESEN. Yes, sir.

The CHAIRMAN. Mr. Meritt, have you any statement to make in regard to this school?

Mr. MERITT. In answer to the question by Mr. Ferris I would say that the total cost of running the school at Bismarck is \$39,000 in round numbers. The value of the plant at Bismarck is \$85,000, in round numbers. The total value of the plant at Wahpeton is \$135,000 and the total cost of administration there last year was \$24,400. The enrollment at Wahpeton was 98 and the enrollment at Bismarck was 72. The cost per capita at Wahpeton was \$221, and the cost per capita at Bismarck was \$220.

Mr. FERRIS. Is the increase in cost of operation due to the condition and location of the school or the extravagance of the superintendent and force that runs it?

Mr. MERITT. I am not able to say.

Mr. FERRIS. You do not know what the direct cause is of the enormous expense of running the Bismarck school?

Mr. MERITT. The small enrollment, climatic conditions, and lack of farming facilities would be contributing factors.

The CHAIRMAN. Is the capacity of either of these schools such that they could be merged?

Mr. HELGESEN. The one at Bismarck is overcrowded now.

The CHAIRMAN. What is the capacity of the Wahpeton school?

Mr. MERITT. It has a capacity of 100 and the capacity of the school at Bismarck is 60.

The CHAIRMAN. And each one is full?

Mr. MERITT. Practically full; yes, sir.

The CHAIRMAN. The next item is:

For support and civilization of the Wichitas and affiliated bands who have been collected on the reservations set apart for their use and occupation in Oklahoma, five thousand dollars.

Commissioner VALENTINE. I desire to submit a justification for that item, as follows:

*Support of Wichitas and affiliated bands, Oklahoma.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$5,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	5,000. 00
Amount expended-----	2,817. 15
Unexpended balance-----	2,182. 85
Analysis of expenditures:	
Employees-----	437. 35
Repairs and improvements-----	57. 50
Heat, light, and power-----	115. 25
Subsistence-----	1,108. 27
Dry goods, clothing, etc-----	16. 35
Hardware, implements, etc-----	418. 27
Medical supplies-----	70. 42
Live stock-----	300. 00
Forage-----	191. 00
Traveling expenses-----	2. 85
Stationery and office supplies-----	101. 89
	2,817. 15

SUPPORT OF WICHITAS, OKLAHOMA.

Amount asked for, \$5,000.

The books of finance division show that there is to the credit of these Indians, under the title of "Proceeds of Wichita ceded lands," about \$148,000. It does not appear that there is any authority of law at the present time by which such funds can be expended for the benefit of these Indians.

There are about 1,000 Indians looked after under this appropriation.

Mr. BURKE. Mr. Commissioner, in regard to this item for "support and civilization of the Wichitas," etc., I notice in your statement it appears they have \$148,000 to their credit. Is there interest paid on that, and if so, is it paid to them, or what disposition is made of it?

Commissioner VALENTINE. From my records here, Mr. Burke, there is apparently no interest on the Wichita fund, although it is very unusual to have funds in the Treasury without interest.

Mr. BURKE. Is it a trust fund?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. They were not in the Kiowa-Comanche land fund. They are handled separately from that, are they not?

Commissioner VALENTINE. No, sir; that fund is an interest-bearing fund, but these do not appear to be from our statement of income here.



The CHAIRMAN. The next item is:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of twenty-five thousand dollars, or so much thereof as may be necessary, of the funds on deposit to the credit of the Kiowa, Comanche, and Apache tribes of Indians in Oklahoma, for the support of the agency and pay of employees maintained for their benefit.

Commissioner VALENTINE. I wish to submit a justification for this item, as follows:

*Apache, Kiowa, and Comanche 4 per cent fund.*

Fiscal year ending June 30, 1912: Amount authorized by the act of Mar. 3, 1911-----	\$25,000.00
Fiscal year ended June 30, 1911:	
Amount authorized by the act of Apr. 4, 1910-----	250,000.00
Amount expended-----	240,899.05
Unexpended balance-----	9,100.95
Analysis of expenditures:	
Employees-----	18,686.11
Construction and repair of buildings-----	958.34
Heat, light, and power-----	378.10
Subsistence-----	390.10
Hardware, implements, etc-----	571.82
Furniture and household goods-----	71.34
Medical supplies-----	187.09
Live stock-----	875.00
Forage-----	300.00
Traveling expenses-----	1,115.47
Telephoning-----	49.40
Stationery and office supplies-----	240.83
Miscellaneous-----	77.45
Per capita payment-----	217,000.00
	240,899.05

[Memorandum.]

**SUPPORT OF KIOWA, COMANCHE, AND APACHE TRIBES OF INDIANS IN OKLAHOMA.**

Amount asked for, \$25,000.

\$25,000 was appropriated from funds on deposit with the Treasurer of the United States to the credit of the above-named Indians for their support during the fiscal year 1912, of which sum about \$17,920 will be required for salaries and the remainder will be necessary for supplies, etc., for the benefit of the Indians. It appears that a similar sum will be required for the next fiscal year for the same purposes. The balance of this fund on deposit with the Treasurer on July 1, 1911, was \$2,607,082.26.

Mr. FERRIS. Just a word at that point. The Indians of the Kiowa, Comanche, and Apache Tribes felt heartbroken over the fact that they withdrew from their money to support the agency. That was never done until two years ago, I think. They always used to appropriate for them just as they did for the other Indians. So insistent about it were they and so often did they call upon me about it while I was at home that I told them that when I got back to Washington I would take it up with the commissioner to see if they were not being discriminated against. The day I went to the Indian Office the commissioner was not there, so I took it up with Mr. Abbott. Mr. Abbott had the matter run down, and he at least showed me that

they were not the only exception to the rule of having to pay the entire agency expenses out of their own money. So I do not know that I care to say anything other than to ask the commissioner if he can state how universally that is true, that the money for the salaries and expenses of the agency are taken out of the Indian funds.

Commissioner VALENTINE. It is true, Mr. Ferris, just as universally as we can bring it to pass. That is, as their money is available we are urging that policy.

Mr. FERRIS. Notwithstanding the statement which I received from the office which showed a number of schools where in some instances it was all paid and in other instances partially paid, I see all through the bill appropriations that apparently are made outright for the payment of the agency expenses and that are not reimbursed from the Indian funds.

Commissioner VALENTINE. In the bulk of those cases it is because the Indians have no funds or other property that will become available.

Mr. FERRIS. Should it not be uniform?

Commissioner VALENTINE. It ought to be just as uniform as possible.

Mr. FERRIS. If you pay it for one tribe that has money, should it not be that way in all cases from those that have money? These Indians have money and are able to pay. I do not wish to take exception to the rule of having them pay, but the thought I had was that it ought to be uniform.

Mr. BURKE. The policy of the Government is to relieve the Federal Treasury as much as possible, and at the earliest possible date, of the support and care of the Indians in the United States. Take this tribe as an illustration. They made a treaty with the United States Government by which they sold and ceded certain lands to the Government in consideration of \$1,000,000, as I remember it. That treaty was not ratified for some little time, but when it was ratified, the Senate arbitrarily put in an amendment reserving three hundred and some odd thousand acres of land for the use of the Indians as a pasture in common—simply reserving it for their use.

Mr. FERRIS. I remember that provision.

Mr. BURKE. The House in conference accepted that amendment, and the bill went through. Later the chairman of this committee introduced a bill for the sale of that pasture, and in addition thereto 25,000 acres that the Secretary, without any authority of law, I have always contended, reserved for a wood lot.

Mr. FERRIS. I am familiar with that.

Mr. BURKE. The United States Government had treated with the Indians and had acquired title to that 25,000 acres of land, but it was set aside for a wood lot. The opening of the reservation meant to develop it, the railroads went through there, towns and cities sprang up, and later this 500,000 acres, or whatever the area was—

Mr. FERRIS. Five hundred and five thousand

Mr. BURKE. Was sold at an average of something like \$10.50 or \$11 an acre.

Mr. FERRIS. Ten dollars and a half for 420,000 acres and \$11 for 85,000.

Mr. BURKE. And suddenly these Indians were in possession of a great fund, and you could not justify making gratuity appropriations to care for them or to provide for them and, therefore, we have taken the money for the administration from their own fund.

In my State, I put a provision in the bill in regard to the Sioux Indians, last year. We had an opening of the Cheyenne and Standing Rock Reservations, and the money is going into the Treasury for their benefit. You will find as we get along here that we are making an appropriation of \$150,000 for their support, care, and subsistence, etc., out of their own moneys, and I am in favor of doing it just as fast as it can be done. There are some bands of Indians who have a small fund in the Treasury and some who do not have. In those circumstances, I think the Government ought to pay the cost of administration, but in cases like the one we are considering, there would be no justification whatever, in my judgment, for appropriating money out of the Public Treasury to pay the expenses of that agency. Of course, the Indians find fault with it.

Mr. FERRIS. That is just what I wished to reply in regard to it. Mr. Burke has stated the facts about the pasture lands and the wood-lot lands. It is right in my immediate locality, and I am very familiar with it, and I think it is also true that the giving of those lands back to them after they had once been ceded to the Government was a gratuity to them, and so far as that land is concerned gave the proceeds to them, but it causes a lot of friction, and it is an explanation that an Indian does not accept very well, to say that his funds are used to pay the agency expenses when the funds of others are not.

Now, I know that "He that has must pay," as a rule, and I think this is perhaps the right method, but it seems to me that where they do have money, and where they do have lands, and where they do have great estates, they ought to be treated in the same way. For instance, the Indians we were considering this morning, the Flathead Indians. They have more money than these Indians that do not pay their expenses.

Commissioner VALENTINE. I beg your pardon. That item in there is made reimbursable.

Mr. FERRIS. There is no provision in this whole bill to withdraw summarily from their moneys and pay it.

Commissioner VALENTINE. They have not any money.

Mr. FERRIS. They never will have if they keep on using their money. Here they are asking \$400,000 before they ever get it.

Mr. BURKE. The Kiowa Indians are like the Osages.

Mr. FERRIS. They are not rich like the Osages.

Mr. BURKE. They have several million dollars.

Mr. FERRIS. They have 160 acres of land apiece and they have about \$3,500,000 left in the Treasury. They have two funds, one 4 per cent and one 5 per cent fund.

Commissioner VALENTINE. Another example is the Chippewa Indians in Minnesota. They are pursuing the same policy that Mr. Burke states exists in South Dakota.

Mr. FERRIS. You do not pay the agency expenses out of their fund, do you?

Commissioner VALENTINE. I think not. I do not think we pay the agency expenses there.

Mr. FERRIS. I know that when you make appropriations to do specific acts which are beneficial to the Indians you are quite uniform in doing it, but there is not a single case in the United States, so far as my observation goes, if I am not mistaken about it, where they withdraw moneys from the Indian funds to pay the salaries of the superintendent and the hangers on that are there.

Commissioner VALENTINE. We do at Osage.

Mr. FERRIS. That might be an exception.

Commissioner VALENTINE. And I think we do among the Chippewas, but I will have to verify that. The six agencies in Minnesota are paid out of tribal funds.

Mr. MERITT. You will find another one in South Dakota.

Mr. FERRIS. How many agencies are there in the United States?

Commissioner VALENTINE. About 160 altogether.

Mr. FERRIS. Of those 160, how many are paid for by the tribal funds and how many by direct appropriations?

Commissioner VALENTINE. Of course, the great bulk of them are paid for by direct appropriations, and a very small number are at present paid for out of tribal funds. This is a new policy that has only been in vogue for a couple of years and we are seeking to make it uniform, and we are extending it just as rapidly as we can do so fairly to all other tribes.

Mr. BURKE. Take the Indians in Arizona and New Mexico, and they practically have no funds and no lands of any value, have they?

Commissioner VALENTINE. Not yet. There have been very few of them allotted. There, of course, they are appropriated for.

Mr. FERRIS. Would you say that 10 per cent of them paid their own expenses, the salary of the superintendent and the officers of the agency—10 per cent of the 160?

Commissioner VALENTINE. If you were to rate it by bulk as well as by number, I would say that would probably be a very safe estimate.

Mr. FERRIS. And would you say that more than 10 per cent of them had funds with which to pay that?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. And would you say that 75 per cent of them had trust funds from which it could be paid if it were thought best—just roughly estimating it, of course?

Commissioner VALENTINE. I think that would be putting it pretty high.

Mr. FERRIS. What would be your estimate?

Commissioner VALENTINE. I should say that we might within the next few years extend this principle of self-support to 50 per cent of the agencies of the United States—for instance, on all the reservations where we have timber, and that exists on a very large percentage of the reservations, under the law which Congress beneficially passed last year, we are now enabled to use those funds for agency purposes, administrative purposes, and beneficial purposes generally. And on all those reservations, not only as to the agency but as to every other matter, schools and everything else, those reservations should become absolutely self-supporting, and not draw a cent from the Federal Treasury.

Mr. FERRIS. Let me ask the commissioner—I am very much in earnest about it, too—I wish you would state just what your policy

is, and what it will be, with reference to withdrawing the tribal funds for the purpose of paying the agency expenses?

Commissioner VALENTINE. My own view as to the tribal funds now in the Treasury of the United States is that after making just allowances for the use of those funds for these very administrative purposes of which we have been speaking, and to retain enough to pay any outstanding claims that there may be against the tribe, the balance of the fund should then be segregated to the credit of the individual Indians—be withdrawn from the Treasury and deposited in banks throughout the country.

Mr. FERRIS. Of course, I am delighted with that phase of it, only that does not quite get at the purpose that I am trying to get at. My question was more particularly, what is your policy, and what will it be, with reference to having Indian moneys withdrawn and paid for agency expenses, salaries of superintendents, and the other attachés?

Commissioner VALENTINE. My policy has been—we felt that we could not do it all at once, but it has been already to take the bigger instances in the bill and see that that was done, and in the future to go through the bill item by item and extend the policy to every single place where there are sufficient funds to justify their use for this purpose.

Mr. BURKE. And without violating treaty obligations?

Commissioner VALENTINE. I was going to put in that proviso, provided we did not go contrary to treaty obligations, and provided we could get sentiment enough to tackling some of the places where there is a good deal of opposition to it. For example, we made a little beginning a year or so ago in connection with the Five Civilized Tribes.

Mr. FERRIS. All of their expenses have for some time been paid out of their funds.

Commissioner VALENTINE. I have no hesitancy personally in going on record as saying that I think that is a great mistake.

Mr. BURKE. Is not that an obligation?

Commissioner VALENTINE. That is a question.

Mr. BURKE. It is an unwise obligation, but, nevertheless, the Government is obligated.

Mr. FERRIS. I think that, too; but I had not intended to enter into that now. In your estimates in this bill you have not quite hewed to the line on that policy, have you, Mr. Commissioner?

Commissioner VALENTINE. I think we have hewed to it in respect to the bigger funds. I do not know of any estimate in this bill where we have not appropriated for agency purposes when the Indians had large funds that could be used. If we have such items, I should like to change them along the line suggested.

Mr. FERRIS. What about the Flatheads in Montana? It was suggested here in the hearing this morning that they had more than \$5,000,000.

Commissioner VALENTINE. That probably is not yet in cash form. If you would have \$40,000 and make it reimbursable until you have cash funds, you have got to work on the reimbursable basis, but after that you can work on the tribal basis.

The CHAIRMAN. They have no trust funds in the Treasury at the present time?

Commissioner VALENTINE. No, sir.

Mr. BURKE. In other words, such a provision as we are proposing to pass here would be of no avail, so far as that reservation was concerned?

Commissioner VALENTINE. Absolutely none.

Mr. FERRIS. It is not presumed that they will, if we keep on expending their money for irrigation purposes years before it is paid in.

Commissioner VALENTINE. That is a fair question for consideration, but I do feel with such a change as that, where they have such large funds, administrative purposes should have a show as well as irrigation.

Mr. FERRIS. I have not attempted to go through the bill and sort out the cases in which it has happened. It seems to me from a casual observation of the bill that it is an exception to the rule, instead of a general rule, that agency funds have been used for that purpose. However, I am going to content myself with the statement that it is the policy of the Indian Office, wherever the Indians are able to do so, and have trust funds on hand, and where it is not against the treaty obligations, to pay it out of their funds. I think it is a wise one if it is made uniform, and a very unwise one if it is not made uniform.

Mr. BURKE. I supplement what you said with the statement that it ought to be the policy of Congress also. There is not any question about it.

Commissioner VALENTINE. I should say that wherever there is one of these gratuity appropriations, and wherever there is any money in the future in sight, we ought to add the word "reimbursable."

Mr. BURKE. Like the Flathead Agency?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. I do not know what the obligation would be. I should have to examine the treaty.

Mr. FERRIS. I want to make a statement in regard to the hospital matter. For three years, as a Representative in Congress, living in what might be called the heart of the Kiowa Agency, consisting of 4,000 Indians, I have observed the necessity of having a hospital for treating the Indians who are troubled with trachoma. My views, I think, have been shared by the Indian Office and by the agencies, and the matter has become so acute within the last year or two I want to call your attention to a matter here that I think would be of interest at this time. Here is a statement made by Dr. W. H. Harrison, a physician of the Interior Department, made in March, 1911, covering all the schools of the agency. The total number of boys examined at the Fort Sill School was 92, 23 of whom had trachoma, 19 ophthalmia, and the percentage of those diseased was 45; 42 were under treatment. The total number of girls examined was 80, 23 of whom had trachoma, 30 ophthalmia, and 66 per cent were diseased; 53 were under treatment. The total number examined at the Fort Sill School was 172, 46 of whom had trachoma, 49 ophthalmia, and 55 per cent were diseased; 95 were under treatment.

At the Riverside School the total number of boys examined was 66, 56 of whom had trachoma, 21 had ophthalmia, and 84 per cent were diseased; 56 were under treatment. There were 85 girls examined, 56 of whom had trachoma, 28 ophthalmia, and 66 per cent were

diseased; 56 were under treatment. The total number examined at Riverside was 151, 112 of whom had trachoma, 49 ophthalmia, and 75 per cent were diseased; 112 were under treatment.

At the St. Patrick's Catholic Indian School there were 36 boys examined, 21 of whom had trachoma, 10 ophthalmia, 58 per cent were diseased, 21 were under treatment. There were 52 girls examined, of whom 39 had trachoma, 15 ophthalmia, and 75 per cent were diseased; 39 were under treatment. The total number of pupils examined at the St. Patrick's School was 88, 60 of whom had trachoma, 25 ophthalmia, and 66 per cent were diseased; 60 were under treatment.

At the Rainy Mountain School the number of boys examined was 69, 59 of whom had trachoma, 21 ophthalmia, 85 per cent were diseased; 59 were under treatment. There were 72 girls examined, 61 of whom had trachoma, 18 ophthalmia, and 85 per cent were diseased; 61 were under treatment. The total number examined at Rainy Mountain School was 141, 120 of whom had trachoma, 39 ophthalmia, 85 per cent were diseased; 120 were under treatment.

I have here a telegram from a number of physicians asking that something be done. It is as follows:

LAWTON, OKLA., *December 15, 1911.*

HON. SCOTT FERRIS, M. C.,

*Washington, D. C.:*

We the physicians of Lawton, Okla., and members in good standing of Comanche County Medical Society, having had some hospital experience with Indians of this vicinity and knowing they are in great need of hospital attention and will be greatly benefited by same, urge that you spare no effort to secure the passage of the Stecker Hospital bill.

Very respectfully,

E. BRENT MITCHELL, M. D.

H. A. ANGUS, M. D.

E. S. GOCH, M. D.

L. T. GOCH, M. D.

P. G. DULAP, M. D.

JACKSON BROSHEARS, M. D.

W. N. HITCH, M. D.

E. D. MEEKER, M. D.

JAMES L. LEWIS, M. D.

F. W. HAMMOND, M. D.

C. S. MEREDITH, M. D.

E. S. DUNLAP, M. D.

C. H. HUES, M. D.

LOUIS A. MILNE, M. D.

D. A. MYERS, M. D., *Secretary.*

I have a letter from the agent, which is a very long one, to the effect that they will not admit them to the regular hospitals; they are backward in civilization. The letter shows, further, that there is no place suitable or appropriate where the Indian women giving birth to children may be given attention, and stating that he has been called in the night and at other times to grant some kind of relief, and he has found them in tents where there was running water under them; and at times, when they have no money, the physician will not go unless the agent will personally stand for it, and it has become so acute at times he has had to pay the physician out of his own pocket. These Indians have a large amount of money in trust funds and they are pretty well to do, and I am very anxious that this subcommittee permit me to offer, and that it adopt, an amendment which will provide, out of their own funds—I do not ask that it come from the Federal Treasury—to erect a hospital there on some of their vacant land, where there can be a place where they can come and be treated and examined, and where this disease can be cured.

During the summer months, while I am at home, they hang around my office and house. They come up to the house and I do not want

to mistreat them. When they come into the house their eyes are all stuck together with trachoma. I do not think their financial condition warrants that treatment, and I think the commissioner will join with me in saying it would be money well spent.

Mr. BURKE. The figures that you gave show the number of children afflicted at numerous schools?

Mr. FERRIS. They are all in this agency.

Commissioner VALENTINE. You were probably misled by the name of the Riverside School.

The CHAIRMAN. What is the largest school?

Mr. FERRIS. The Fort Sill School.

The CHAIRMAN. Is that near the center of the reservation?

Mr. FERRIS. Yes, sir.

The CHAIRMAN. How much land is used for school purposes?

Mr. FERRIS. I think about two or three sections are reserved there.

The CHAIRMAN. Would there be any of that suitable for erecting a hospital, such as you mentioned?

Mr. FERRIS. I think there would be plenty of sites.

The CHAIRMAN. On that school reservation?

Mr. FERRIS. In that locality. There is water there, and shade for them, and it is immediately adjoining the school.

The CHAIRMAN. About how many children are there in that school?

Mr. FERRIS. I can not answer definitely. There are 4,000 Indians in the agency; I do not know what the school population is. About 171 is the average attendance.

The CHAIRMAN. About how many of those are diseased, about 65 per cent?

Mr. FERRIS. The best information I have is from this Government physician, who visits the schools, and who filed this report, and he says that the percentage runs from 55 to 85; 55 is the lowest and 85 the highest. That does not include the old Indians that are walking around the streets with their eyes sticking together.

The CHAIRMAN. Have you had an estimate made of the cost of that?

Mr. FERRIS. I have not, Mr. Chairman. I am willing to leave that up to the commissioner.

The CHAIRMAN. What would be the attitude of the Indians?

Mr. FERRIS. There is one wing of them opposed to it. They think that if there is a hospital erected where they can be treated that it will do away with the use of their Indian medicine. There is one wing in favor of it.

The CHAIRMAN. How much money have they to their credit now?

Mr. FERRIS. Over two millions, I think. They have an immense sum to be paid in for sales on five-year installments.

The CHAIRMAN. If this institution is established, you expect to maintain it out of their funds?

Mr. FERRIS. I do not see any reason why not. I do not think they ought to walk around with their eyes shut tight in disease. The white hospitals will not take them.

The CHAIRMAN. Mr. Commissioner, would you be willing to give your approval for the building of a hospital at this school?

Commissioner VALENTINE. Personally, I am most decidedly in favor of it.



The CHAIRMAN. Would you be willing to add that to the estimates you have made in your recommendations?

Commissioner VALENTINE. I do not know that officially it would be proper for me to make that, because they have to ask through the Secretary, but as this involves an expenditure out of the tribal fund, it is a matter of departmental policy, and I think Mr. Ferris introduced a bill in this connection, which we were asked to report on, and we have made our report to the Interior Department.

The CHAIRMAN. How long would it take you to get an answer from that?

Commissioner VALENTINE. It is now over there.

Mr. FERRIS. The report has been drawn?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. Can you give us any estimate as to how much money ought to be appropriated to erect such a building as would be suitable for this purpose, and sufficiently large to accommodate the number of patients that would have to be treated there?

Commissioner VALENTINE. Yes; the superintendent has made some estimates.

Mr. FERRIS. He has written the Commissioner a letter, of which I have been given a copy. In that letter he says:

There are under my supervision 4,081 Indians, and as far as ordinary business matters between man and man are concerned, 95 per cent of these people are noncompetent and require governmental supervision. They are scattered throughout 108 townships, or over an area 70 by 90 miles in extent; which makes it impossible to properly care for them from a medical standpoint, as it is a physical impossibility for the agency physician to cover so large a territory and keep in proper touch with his patients. Trachoma, tuberculosis, various other diseases, and the usual per cent of painful accidents prevail among them. When within reach of an agency physician they call on him for treatment if the medicine man or woman does not get the patient first. If they have individual funds, the nearest practicing physician is called, and, in the case of necessary operations a transfer is frequently made to a hospital in one of the neighboring cities. These cases are expensive, and the Indians can not afford the financial drain on their limited resources.

The death rate among children is large, as there is no proper place provided where they can be treated under trained supervision; the physician's efforts invariably fail because his directions are not followed, and dieting is not understood by the Indians generally.

The establishment and maintenance of an Indian hospital is a necessity and should no longer be delayed. Once in operation it will prove a great blessing to these people and will be fully appreciated by them. It will provide a place where their own language is spoken, enabling them to explain intelligently their sufferings and bring them all the relief that science can command, free of cost.

This institution could be made self-supporting. The reserved agency lands herein recommended for sale can well be spared for this purpose, and I know of no better purpose to which the proceeds of such a sale could be applied.

He is going on the theory that we are going to sell these lands and take a part of the proceeds for that purpose, and that is on the line of my bill. He goes on to say:

Excepting three tours of duty in the military service covering less than five years, I have continuously served among these people since 1888. Five years of this time I lived with 75 of the Indians in the same barracks when the War Department was experimenting with the Indian soldiers; consequently I know them well, and I also know their wants. In making this recommendation I feel assured that if all who read this communication could see the conditions as I must see them, there would be no hesitancy on their part in assisting me to obtain this hospital and home for aged Indians.

Mr. BURKE. Does he give any figures?

Mr. FERRIS. Here is a list of lands.

Mr. BURKE. Does he estimate what the lands would bring?

Mr. FERRIS. He gives the amount of acreage.

Mr. BURKE. What I want to get at is to find out how much money would be necessary to erect and equip the institution.

Mr. FERRIS. I am willing to leave that to the Commissioner.

Mr. BURKE. You have 4,000 people, and you would have an attendance of 65 per cent, and you would have a lot of people there all the time.

Mr. FERRIS. I do not anticipate they will be there all the time. They ought to have some place to which they can go and take their children when their eyes are sticking together and they can not see. There ought to be some place where they can go.

The CHAIRMAN. Mr. Commissioner, would it be practicable—suppose we expend \$20,000, or \$10,000, or some specific amount, and complete one part of the hospital first. We have an asylum of that kind in Texas, and it works splendidly.

Mr. BURKE. In having a hospital, you have to have it divided up to some extent, to separate the different diseases.

Commissioner VALENTINE. I should say, Mr. Chairman, that as these Indians have \$4,000,000 tribal funds—

Mr. BURKE. Have they got that?

The CHAIRMAN. There are two different funds.

Commissioner VALENTINE. There is one fund of \$1,550,000, and there is another fund of \$1,400,000. I should think, under those circumstances, knowing the deplorable condition of the Indians as to health, and the sentiment of the element of the tribe who are unselfish, it would give an opportunity to start on some such basis as you suggested, Mr. Chairman, by authorizing the department to expend, we will say, not to exceed \$40,000 in the construction and equipment of hospital facilities, with a lying-in hospital for the treatment of such cases, and in another year we might be able to perfect a plan that would provide for the needs of the Indians.

Mr. FERRIS. Will you prepare an amendment to cover that?

Mr. BURKE. Children who are admitted to Indian schools are given a physical examination, are they not, before they are admitted?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. Is it the custom to admit children found to be afflicted with tuberculosis and other diseases?

Commissioner VALENTINE. No, sir. The studies with regard to tuberculosis have been carried on for some time. Trachoma is a comparatively new thing.

Mr. BURKE. It is not the policy to take any of the persons so afflicted?

Commissioner VALENTINE. No, sir.

The CHAIRMAN. The next item is:

For support and civilization of the Arapahoes and Cheyennes who have been collected on the reservations set apart for their use and occupation in Oklahoma, thirty-five thousand dollars.

Commissioner VALENTINE. I wish to submit a justification for that item as follows:

*Support of Cheyennes and Arapahoes, Oklahoma.*

Fiscal year ending June 30, 1912, amount appropriated----- \$35,000.00

Fiscal year ended June 30, 1911:

Amount appropriated----- 35,000.00

Amount expended----- 32,996.40

Unexpended balance----- 2,003.60

Analysis of expenditures:

Employees-----	29,361.10
Repairs and improvements-----	247.11
Heat, light, and power-----	624.78
Subsistence-----	905.22
Hardware, implements, etc-----	603.89
Furniture and household goods-----	108.40
Medical supplies-----	327.69
Forage-----	110.00
Traveling expenses-----	91.72
Stationery and office supplies-----	554.66
Rent-----	59.00
Miscellaneous-----	2.92

32,996.40

## SUPPORT OF CHEYENNE AND ARAPAHOES, OKLAHOMA.

Amount asked for, \$35,000.

Funds for the administration of four superintendencies are provided for out of this appropriation. \$26,300 is used for the payment of the salaries of the necessary clerks, and the remainder to purchase subsistence for the Indians and furnish them with agricultural implements, provide heat and light for the agency buildings, etc.

It appears that these Indians have in excess of \$825,000 to their credit, which fund should be used in part to support the Indians. If practicable, an item should be inserted in the bill granting the Secretary of the Interior authority to expend not exceeding \$35,000 for the benefit of the Indians. The interest on this fund should be sufficient to provide this amount.

The four superintendencies above referred to are:

	No. of Indians.
Cantonment-----	756
Cheyenne and Arapahoe-----	1,253
Red Moon-----	161
Seger-----	570

2,740

Mr. FERRIS. Just a word right there. Here is an instance where they have funds to their credit. According to your statement on page 260 of the justification, the Arapahoes and Cheyennes have \$825,000 to their credit, and you have not applied the same rule that you applied to the Kiowas and Comanches.

Mr. BURKE. He may suggest it. It is for us to apply it.

Mr. FERRIS. Is there a treaty obligation there?

Mr. BURKE. The Indian Office can not legislate. They can only suggest.

Mr. FERRIS. I am perfectly willing to go through this bill from beginning to end and apply the axe to all of them.

Mr. BURKE. I say they have suggested it. That is all they can do.

Mr. FERRIS. Are you willing to go back through the bill?

Mr. BURKE. I am in favor of it. I have been fighting for it all the time. They say we have done it, and here comes another case where it appears that we have not done it.

Mr. FERRIS. The commissioner replies that he thinks it is a fair estimate that not more than 10 per cent of them have been made to pay it where they have money, and he thinks more than 50 per cent have money with which to pay it.

Commissioner VALENTINE. No; I say 50 per cent will have means in the future by which they can make themselves self-supporting. It is possible they have funds to some extent now. Here is a specific case. Why not amend this in line with that suggestion?

Mr. FERRIS. I am in favor of amending that, but I am in favor of requesting you at the same time to furnish us, from the beginning of this bill to the end, the exact amount that every tribe of Indians has in the Treasury, so that we, in turn, may do this.

Mr. MERITT. House Document No. 208, Sixty-second Congress, second session, contains full information regarding this matter.

The next item is:

For support and civilization of the Kansas Indians, Oklahoma, including agricultural assistance and pay of employees, one thousand five hundred dollars.

Commissioner VALENTINE. I desire to submit a justification to this item, as follows:

*Support of Kansas Indians, Oklahoma.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$1, 500
Fiscal year ended June 30, 1911:	
Amount appropriated.....	1, 500
Amount expended.....	1, 500
Analysis of expenditures:	
Employees .....	1, 500

SUPPORT OF KANSAS INDIANS.

Amount asked for, \$1,500.

The entire amount asked for is used to pay the salaries of the clerical help necessary to properly administer the affairs of these Indians at the Kaw Agency.

It appears from the books of the finance division that these Indians have over \$149,000 to their credit.

The CHAIRMAN. Here is a case where they make a suggestion, and it rests with the committee to do it or not. They state the amount.

Commissioner VALENTINE. I think this money should be paid out of the Kansas Indians' fund.

Mr. FERRIS. You think it should be?

Commissioner VALENTINE. Unless we have some treaty obligation against it.

Mr. BURKE. You say the department should only suggest. That is all. It comes to the attention of the committee.

Commissioner VALENTINE. I make the same suggestion in connection with the Kansas funds provided we find no treaty against it.

The CHAIRMAN. The next item is:

For support and civilization of the Kickapoo Indians in Oklahoma, two thousand dollars.

Commissioner VALENTINE. I wish to submit a justification for that item, as follows:

*Support of Kickapoos, Oklahoma.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$2,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	2,000.00
Amount expended-----	1,942.44
Unexpended balance-----	57.56
Analysis of expenditures:	
Employees-----	1,897.44
Hardware-----	45.00
	1,942.44

## SUPPORT OF KICKAPOOS, OKLAHOMA.

Amount asked for, \$2,000.

The entire amount is used for the payment of the salaries of clerical help used to administer the affairs of these Indians at the Shawnee Agency.

Commissioner VALENTINE. The Kickapoo Indians have an interest of only \$361.84 a year, and so we can not do it there.

Mr. BURKE. Certainly.

The CHAIRMAN. The next item is:

For support and civilization of the Ponca Indians, including pay of employees, nine thousand dollars.

Commissioner VALENTINE. I have a justification to submit for this item, as follows:

*Support of Poncas, Oklahoma.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$8,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	8,000.00
Amount expended-----	7,920.96
Unexpended balance-----	79.04
Analysis of expenditures:	
Employees-----	5,534.30
Heat, light, and power-----	146.25
Hardware, implements, etc-----	582.83
Furniture and household goods-----	263.16
Live stock-----	800.00
Forage-----	351.35
Stationery and office supplies-----	226.72
Miscellaneous-----	16.35
	7,920.96

Support of Poncas, Oklahoma, \$900.

The superintendent of the Ponca Agency has under his jurisdiction over 600 Indians. The clerk hire takes nearly \$5,500 of the amount heretofore appropriated, leaving but a small sum for the needs of the Indians, such as subsistence, forage, medical supplies, etc. The \$1,000 increase in the estimate is due to the fact that oil has been found on the reservation, and additional clerk hire will be necessary to properly look after this interest.

Commissioner VALENTINE. I might make this suggestion in connection with the Ponca Indians, that they have interest funds to the

amount of \$3,500. We are now appropriating a gratuity of \$9,000, and if there is no treaty obligation in the way, and no other controlling reason, I think we might initiate the policy of paying a part of this gratuity, where we can not pay it all, out of the tribal funds.

The CHAIRMAN. Would it be in the discretion of the Secretary of the Interior?

Commissioner VALENTINE. No; Congress might decide, after receiving this memorandum, to have, say, \$2,000 out of this amount paid out of the interest fund. In that way we would be installing the system.

The CHAIRMAN. Then we will pass this item.

The next item is:

For support and education of five hundred Indian pupils at the Indian school at Chilocco, Oklahoma, and for pay of superintendent, eighty-five thousand five hundred dollars; for general repairs and improvements, seven thousand dollars; in all, ninety-three thousand dollars: *Provided*, That the Secretary of the Interior is hereby authorized to sell any surplus lands set aside or reserved at this or any other Indian school for school purposes and no longer needed for that purpose, or lease any school lands for farming, mineral, or other purposes, in the discretion of the Secretary of the Interior, under such terms, conditions, and regulations as he may prescribe, and invest the proceeds in Indian school buildings or repairs of Indian school buildings or plants, or for the maintenance of said schools as the needs of the service may require: *Provided further*, That in the discretion of the Secretary of the Interior the surface of said lands may be sold separate and apart from any minerals that may be found thereunder: *Provided further*, That the Secretary of the Interior shall report to the Congress at its next session any action hereunder

Commissioner VALENTINE. I desire to submit a justification for this item, as follows:

*Indian school, Chilocco, Okla.*

Fiscal year ending June 30, 1912: Amount appropriated.....	\$90,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	90,000.00
Amount expended.....	88,955.71
Unexpended balance.....	1,044.29
Analysis of expenditures:	
Employees.....	35,486.31
Repairs and improvements.....	1,789.50
Heat, light, and power.....	12,734.24
Subsistence.....	17,651.99
Dry goods, clothing, etc.....	12,882.05
Hardware, implements, etc.....	5,092.56
Furniture and household goods.....	1,600.68
Schoolroom supplies.....	390.79
Medical supplies.....	234.80
Forage.....	648.73
Traveling expenses.....	29.09
Telephoning.....	50.00
Stationery and office supplies.....	243.56
Miscellaneous.....	71.41
	88,955.71
Support, education, etc.....	85,500.00
Repairs and improvements.....	7,500.00
Total.....	93,000.00

Total value of school plant.....	\$695,890.00
Total salaries.....	40,480.00
Number of employees.....	56
Capacity of school.....	500
Enrollment.....	491
Average attendance.....	442
<b>Appropriation, 1911:</b>	
Support, education, etc.....	\$83,500.00
General repairs and improvements.....	6,500.00
Total.....	90,000.00
<b>Expenditures, 1911:</b>	
Administration.....	2,750.00
Operation.....	83,991.75
Plant.....	2,213.96
Total.....	88,955.71
Cost per capita, exclusive of repairs and improvements to plant and new construction.....	176.66
<b>Appropriation, 1912:</b>	
Support, education, etc.....	83,500.00
Repairs and improvements.....	6,500.00
Total.....	90,000.00
<b>Superintendent's estimates for 1913:</b>	
Absolute necessities.....	94,550.00
Urgent needs.....	7,500.00
Total.....	102,050.00

Certain of the salaries paid at the Chilocco Indian School are small, and it is deemed necessary to increase them, for which \$2,000 additional is estimated for 1913.

Repairs and improvements are needed to an extent somewhat greater than is shown by the figures given above, for which \$1,000 additional has been considered a moderate estimate for the purpose.

#### SALE OF SURPLUS SCHOOL LAND AND DISPOSITION OF THE PROCEEDS.

This provision is desired in order that surplus school land not needed for school purposes may be sold by the Secretary of the Interior and the proceeds applied for the benefit of the school, thus relieving the United States from the necessity of providing the money by specific appropriation, and effecting a considerable economy.

At the present time there is occasion for the application of such provision at three Indians schools, viz, Chilocco, Okla.; Red Moon, Okla.; Vermillion Lake, Wis.

At Chilocco the total acreage of the school reserve is 8,579.81 acres. The school farm is too large for the successful teaching of agriculture, and a much less acreage will meet all requirements. If a portion of this land be sold the remainder will be entirely adequate for all farming operations which can be successfully conducted.

The Red Moon School reserve contains 1,280 acres. During the early part of the fiscal year 1911 this school was changed from a boarding school to a day school. Thereafter the maintenance of the school farm was no longer required in connection with the day-school work, but the school can be benefited by the sale of a major part of the land and the application of the proceeds for the benefit of the school and its plant.

The Vermillion Lake School reserve contains 1,080 acres. Conditions similar to those at Chilocco may render it advisable to dispose of surplus school land not required for use in connection with the school work, and this provision will enable the department to dispose of the land and use the proceeds for the benefit of the school.

The CHAIRMAN. This provision would be new legislation, would it not, and subject to a point of order?

Commissioner VALENTINE. It does seem a pity for the Government to go on appropriating out of the general funds of the Treasury \$90,000 a year or more when this large amount of land could be made available.

The CHAIRMAN. Is it being utilized at the present time?

Commissioner VALENTINE. Only in a very crude way. Some of it is out under lease.

The CHAIRMAN. Have you any statement to submit of the amount of income derived from these lands?

Commissioner VALENTINE. We have no figures of the present income from that land, but I will get that for you.

Mr. BURKE. Mr. Valentine, has this Chilocco School, during the last year, been doing good work, and has the attendance been good?

Commissioner VALENTINE. I have no records before me further than are given in this statement. The average attendance, as you will see, is nearly 60 lower than the capacity of the school.

Mr. BURKE. We cut the appropriation last year from \$75,000 down to \$50,000. What I wish to ask you is whether or not it could be further reduced without injury to the efficiency of the service?

Commissioner VALENTINE. I think not.

Mr. BURKE. You think it can be maintained?

Commissioner VALENTINE. I think it can be maintained and decidedly improved and the per capita cost lowered on the present basis.

Mr. BURKE. There are about 13 sections of land, as I recall, in connection with this school.

Commissioner VALENTINE. Something like that.

Mr. BURKE. That land belongs to the United States, does it not?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. The next item is:

For fulfilling treaties with Pawnees, Oklahoma: For perpetual annuity, to be paid in cash to the Pawnees (article three, agreement of November twenty-third, eighteen hundred and ninety-two), thirty thousand dollars; for support of two manual-labor schools (article three, treaty of September twenty-fourth, eighteen hundred and fifty-seven), ten thousand dollars; for pay of one farmer, two blacksmiths, one miller, one engineer and apprentices, and two teachers (article four, same treaty), five thousand four hundred dollars; for purchase of iron and steel and other necessities for the shops (article four, same treaty), five hundred dollars; for pay of physician and purchase of medicines, one thousand two hundred dollars; in all, forty-seven thousand one hundred dollars.

Mr. VALENTINE. I should like to submit a justification for that item, as follows:

*Support of Pawnees: Schools, Oklahoma.*

Fiscal year ending June 30, 1912, amount appropriated-----	<u>\$10,000. 00</u>
Fiscal year ended June 30, 1911:	
Amount appropriated-----	10,000. 00
Amount expended-----	<u>9,683. 39</u>
Unexpended balance-----	<u>316. 61</u>



## Analysis of expenditures:

Employees .....	\$131. 00
Repairs and improvements .....	79. 60
Heat, light, and power .....	1, 054. 76
Subsistence .....	3, 685. 90
Dry goods, clothing, etc. ....	2, 601. 66
Hardware, implements, etc. ....	593. 32
Furniture and household goods .....	558. 36
School-room supplies .....	148. 35
Medical supplies .....	104. 23
Forage .....	491. 17
Telephoning .....	36. 00
Stationery and office supplies .....	104. 31
Seed .....	86. 75
Miscellaneous .....	7. 98

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9, 683. 39
*Support of Pawnees: Employees, etc., Oklahoma.*
Fiscal year ending June 30, 1912, amount appropriated..... \$6, 600. 00

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## Fiscal year ended June 30, 1911:

Amount appropriated ..... 6, 600. 00  
Amount expended ..... 6, 515. 44

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Unexpended balance..... 84. 56

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## Analysis of expenditures:

Employees ..... 6, 373. 83  
Medical supplies ..... 141. 61

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6, 515. 44
*Supplies of Pawnees: Iron, steel, etc., Oklahoma.*
Fiscal year ending June 30, 1912, amount appropriated..... \$500. 00

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## Fiscal year ended June 30, 1911:

Amount appropriated ..... 500. 00  
Amount expended ..... 93. 97

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Unexpended balance..... 406. 03

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## Analysis of expenditures:

Hardware..... 47. 32  
Furniture and household goods..... 46. 65

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93. 97

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*Fulfilling treaties with Pawnees, Oklahoma, 1913.*

Appropriation, 1911..... 47, 100. 00

Appropriation, 1912..... 47, 100. 00

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## Fiscal year ended June 30, 1911:

Amount appropriated ..... 47, 100. 00  
Amount expended ..... 45, 674. 45

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Unexpended balance..... 1, 425. 55

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## Analysis of expenditures:

Employees school and agency..... 6, 515. 14  
Annuities ..... 29, 475. 92  
Supplies for subsistence of school..... 9, 683. 39

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45, 674. 45

Ninety pupils to be provided for.

*Fulfilling treaties with Pawnees, Oklahoma.*

Fiscal year ending June 30, 1912, amount appropriated-----	<u>\$30,000.00</u>
Fiscal year ended June 30, 1911:	
Unexpended balance from previous appropriations-----	6,084.42
Amount appropriated-----	<u>30,000.00</u>
	36,084.42
Amount expended-----	<u>29,475.92</u>
Unexpended balance-----	<u>6,608.50</u>
Analysis of expenditures, per capita payments-----	29,475.92

Commissioner VALENTINE. I should like to call your attention to the fact that under general authority or direction given by Congress we have negotiated with these, as with other Indians having permanent annuities. They want to capitalize this fund, but it will require over \$800,000 to do it.

The CHAIRMAN. You make no recommendation of that kind at this time, do you?

Commissioner VALENTINE. No; because we felt that other increases in the bill were very much greater in importance than this, although it is important, and I think it should be kept in mind, that until the capital sum is deposited in the Treasury we can not handle the money as it should be handled.

Mr. BURKE. Are the Indians willing to capitalize it on a basis of 5 per cent?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. Has a treaty agreement been entered into with them to that effect?

Commissioner VALENTINE. Negotiations, as we call them, have been conducted with them, and they have agreed to a capitalization on that basis. We had it in the bill last year.

Mr. BURKE. That is, authorizing it?

Commissioner VALENTINE. Yes; but it was stricken out.

Mr. BURKE. It is much better to pay \$800,000 and get through with it than to keep on paying forty-odd thousand dollars annually.

Mr. FERRIS. Those are the perpetual treaties, are they?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. We can not use the money to capitalize them.

Mr. BURKE. I do not know whether you could or not. I doubt that. Here is an absolute obligation we owe these Indians. We could appropriate money in lieu of it and give them the money, but we have not any right to use it.

Commissioner VALENTINE. Not without their consent.

Mr. BURKE. No.

The CHAIRMAN. The next item is:

For support of Quapaws, Oklahoma: For education (article three, treaty of May thirteenth, eighteen hundred and thirty-three), one thousand dollars; for blacksmith and assistants, and tools, iron, and steel for blacksmith shop (same article and treaty), five hundred dollars; in all, one thousand five hundred dollars: *Provided*, That the President of the United States shall certify the same to be for the best interests of the Indians.

Commissioner VALENTINE. I wish to submit a justification for that item.

*Support of Quapaws: Education, Oklahoma.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$1,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	1,000.00
Amount expended-----	972.00
Unexpended balance-----	28.00
Analysis of expenditures: Care and maintenance of pupils at mission school-----	972.00

*Support of Quapaws: Employees, etc., Oklahoma.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$500.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	500.00
Amount expended-----	500.00
Analysis of expenditures, employees-----	500.00

Support of Quapaws, Oklahoma: Amount asked for, \$1,500.

This amount is asked for in order to fulfill the obligation imposed upon the Government by the treaty of May 13, 1833. The money has been expended in accordance with the terms of article 3 of that treaty.

The CHAIRMAN. We now come to the Five Civilized Tribes: "For expense of administration of the Five Civilized Tribes, Oklahoma, and the compensation of employees, \$174,000." A decrease of \$1,000.

Commissioner VALENTINE. I submit in justification, Mr. Chairman, the following information:

*Administration of affairs of Five Civilized Tribes, Oklahoma.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$175,000.00
Also \$30,000 in 1912 act, reimbursable, to cover expenses of sale of unallotted land.	
Fiscal year ended June 30, 1911, unexpended balances of the following appropriations transferred to this appropriation: "Clerical and other expenses, town lots, Five Civilized Tribes;" "Clerical and other expenses, town lots, Union Agency;" "Incidentals in Oklahoma;" "Investigation of fraudulent leases, allotted lands, Five Civilized Tribes;" "Leasing of mineral and other lands, Five Civilized Tribes;" "Removal of intruders, Five Civilized Tribes;" "Removal of restrictions, allotted lands, Five Civilized Tribes;" "Sale and leasing Creek and Cherokee lands, Indian Territory;" "Sale of inherited and other lands, Five Civilized Tribes"-----	7,688.13
Amount appropriated-----	200,000.00
	207,688.13
Amount expended-----	203,224.09
Unexpended balance-----	4,464.04
Analysis of expenditures:	
Employees-----	168,929.85
Heat, light, and power-----	598.69
Hardware, furniture, etc-----	590.74
Live stock-----	760.00
Forage-----	750.77
Transportation of supplies-----	19.79
Traveling expenses-----	16,905.94
Telegraphing and telephoning-----	753.44
Stationery and office supplies-----	5,609.54
Rent-----	7,608.88
Miscellaneous-----	696.45
Total-----	203,224.09

## ADMINISTRATION AFFAIRS, FIVE CIVILIZED TRIBES, FISCAL YEAR 1913.

## JUSTIFICATION SUBMITTED BY SUPT. KELSEY AND COMMISSIONER WRIGHT.

I respectfully refer to my detailed report dated June 6, 1910, submitting estimate for appropriation for the fiscal year 1912. Our office organization is practically unchanged and the amount of work is as heavy if not heavier than it has been for the last three years. With the allowance of \$135,000 for the fiscal year 1912 it will require some very close figuring to handle the business satisfactorily on that sum, which is less than we have ever had before. Therefore, unless there is some far-reaching legislation, or orders which will change existing conditions, the amount requested should be allowed for 1913. Considering the large volume of individual Indian work for the 36,000 restricted Indians of the five tribes—to say nothing of the handling of the financial affairs of these tribes—and the complications constantly arising from new legislation and decisions of the court, the estimate for the general Union Agency organization is as conservative as I can make. If the unfinished work of the office of the Commissioner to the Five Civilized Tribes should be added to Union Agency, as has been contemplated at different times, a sufficient additional appropriation should be provided for that work, the amount of which is unknown to me—presumably entirely problematical. I have asked the Commissioner to the Five Civilized Tribes to report the amount he considers should be added to this appropriation. For the last two years the appropriation for the two offices has been combined in this fund.

DANA H. KELSEY,  
*Superintendent Union Agency.*

This amount is the same as apportioned for the year ending June 30, 1912, and will be sufficient, in addition to available tribal funds authorized to be expended in connection with the sale of unallotted lands. Should additional legislation affecting the Five Civilized Tribes be enacted, provision should be made for any expense to be incurred in connection therewith.

J. G. WRIGHT,  
*Commissioner Five Civilized Tribes.*

NOVEMBER 8, 1911.

The HONORABLE COMMISSIONER OF INDIAN AFFAIRS.

SIR: As requested in your letter of October 25, 1911. I have the honor to submit the following justification of estimate for appropriation, fiscal year 1913:

Item: For expense of administration of the affairs of the Five Civilized Tribes, Oklahoma, and the compensation of employees, \$174,000.

My estimate for this appropriation for the fiscal year 1913 was \$135,000, and the estimate of Commissioner Wright for the uncompleted work of the Commission to the Five Civilized Tribes was \$40,000, making a total of \$175,000, \$1,000 of which I understand was deducted to cover stationery and to be included in a separate stationery appropriation before the department. Therefore I take it that it is proposed to allow approximately \$134,250 for the Union Agency and \$39,750 for the uncompleted work under Commissioner Wright.

I will make this justification covering the Union Agency only, and Commissioner Wright will be requested to make such explanation as he desires as to the work that will be left undone in his office at the end of the current fiscal year.

It is a pretty difficult matter to briefly explain the immense volume of business handled by the Union Agency. The amount has practically remained the same for the last two or three years. The individual work of all of the restricted allottees of the Five Civilized Tribes, covering the eastern half of the State of Oklahoma, 40 counties, is handled by this office. There are over 101,000 members of these tribes, and it is estimated that about 36,000 of them are within the restricted class, their lands being alienable only with the approval of the department. The remaining members of the tribes still have their interest in tribal affairs, and while their individual matters are not under the control of the department, there is constantly more or less business with the unrestricted Indians, because of their unsettled communal interest. The Union Agency handles all of the tribal revenues collected for the Five Tribes, pays the expenses of such collections, the expenses of the tribal officers, and receives

and disburses the individual funds belonging to the many thousands of Indians who make leases or sales under the supervision of the department. It handles approximately \$5,000,000 annually. This accounting work requires a vast amount of clerical detail, and is something that must be handled not only accurately but promptly, or the department and Congress will be flooded with complaints by Indians, with reference to delays, etc. The disbursement vouchers for the fiscal year 1909 numbered 19,999; for 1910, 20,776; and for 1911 27,940. We have over 40,000 separate remittances per annum, and for the proper local handling of the funds we have 53 national bank depositories.

During the last fiscal year this office received 125,337 pieces of incoming mail and dispatched 199,876 pieces of outgoing mail, which was a slight increase over the two previous years.

To provide for the various divisions in the office organization, I submit the following items:

<b>Lease division</b> .....	\$14, 000. 00
The lease division handles all of the individual oil, gas, mineral, and agricultural leases in the Five Tribes, of which there have been over 22,000. With our reduced force during the last year it has been almost impossible to keep the work current in this division, with the large number of assignments, cancellations, information to bring suits on delinquencies, etc. This item also includes the expense of oil-field inspection, for the protection of the interests of full-blood allottees.	
<b>Royalty division</b> .....	14, 000. 00
For a number of years this division has had between eight and twelve thousand individual ledger accounts covering the immense volume of oil and gas business, as well as the coal and asphalt royalties from the segregated lands. - We have always been hampered by lack of clerical force. At the present time we have approximately 7,500 accounts in this division.	
<b>Restrictions division</b> .....	20, 000. 00
This division handles all applications for removal of restrictions, Five Civilized Tribes, and under the opinion of the Attorney General, all deeds that are presented for the approval of the department, covering inherited lands. These applications and deeds come from nearly every one of the 40 counties in eastern Oklahoma. The work constantly grows.	
<b>Sales division</b> .....	25, 000. 00
Our land-sale business, under conditional removal of restrictions, has been very voluminous and requires an immense amount of detail. The department permits and encourages Indians with large areas of restricted land to sell a portion of their allotments to improve their remaining tracts and generally better their condition. These lands are advertised through the different district agencies, but all the detail work is handled in the Muskogee office, and the expense of making appraisements is also paid from this estimate. It takes from 8 to 10 appraisers constantly in the field, and they are hardly able to keep up with the work. Through this division thousands of acres of land are sold annually and the moneys derived therefrom expended for the benefit of the allottees, usually in making improvements, purchase of live stock, farming implements—very important work.	
<b>Accounts division</b> .....	10, 000. 00
The vast accounting work of this agency, aggregating over \$5,000,000 annually, requires a large amount of clerical work. There are over 20,000 disbursement vouchers each year. All employees of this division must be expert accountants, as much depends upon their accuracy.	
<b>Town-site and miscellaneous division</b> .....	4, 500. 00
The closing up of the payments on over 300 Government town sites, issuance of patents, etc., requires the attention of about one clerk, but a large number of miscellaneous items, not properly classified in other divisions, are now handled in the division that once looked after town-site work entirely.	

Field and intruder division-----	\$8, 100. 00
All of the management of the field force and miscellaneous investigations, complaints, etc., are handled in this division. A small amount of so-called "intruder" work, that of requiring the agency to place allottees in possession of their lands, is still handled. I have combined these two divisions into one, with chief, thereby reducing the force and incident expense.	
Chief clerk's office-----	7, 900. 00
The administration of the clerical work of the agency is directed from the chief clerk's office. All incoming and outgoing mail passes through that office, and all verbal inquiries of the public are looked up and answered therefrom. This item also includes the janitor and messenger service.	
Cashier's office-----	6, 000. 00
The vast sums of moneys received through the agency, from all sources, pass through the cashier's office, requiring responsible, accurate, and painstaking employees. Receipts are approximately \$3,000,000 annually. The cashier of the agency is also the special disbursing agent.	
Typewriter division-----	15, 000. 00
A large amount of general correspondence, preparation of vouchers, pay rolls, schedules, stenographers for detail to field duty, the taking of testimony in litigated cases, are all attached to this division. The salaries range from \$840 to \$1,080 per annum.	
Mailing division-----	8, 250. 00
All incoming mail is recorded and indexed, and all outgoing mail copied and indexed in this division. It annually handles approximately 110,000 to 125,000 pieces of incoming, and 200,000 pieces of outgoing mail.	
Pine line division-----	1, 500. 00
Where rights of way for telephones and pipe lines pass over restricted lands, authority must be secured from the department, damages appraised, and money paid to the individual allottees. One field clerk, who also assists in other general appraisements, can handle this work.	
Total for Union Agency-----	134, 250. 00
Unfinished "Dawes" Commission-----	89, 750. 00
To be justified by Commissioner to the Five Tribes.	
	<hr/> 174, 000. 00

Very respectfully,

DANA H. KELSEY,  
*United States Indian Superintendent.*

MUSKOGEE, OKLA., November 14, 1911.

The honorable the COMMISSIONER OF INDIAN AFFAIRS.

SIR: I inclose herewith letter of the United States Indian superintendent, addressed to your office under date of November 8, 1911, submitting as requested a justification of the estimate submitted as to the appropriation needed for the administration of the affairs of the Five Civilized Tribes and compensation of employees for the fiscal year 1913, such estimate being for the aggregate amount of \$175,000. The superintendent states that \$1,000 of this amount has been deducted to cover stationery, which therefore leaves \$134,250 for his office and \$39,750 for the unfinished work of the commissioner to the Five Civilized Tribes, this being the division of the fund as agreed upon and is satisfactory to both the superintendent and myself.

Thirty-nine thousand seven hundred and fifty dollars is not sufficient by any means to carry on the work of this office, but, with the assistance of other funds hereinafter referred to, if authority is granted or legislation enacted to make the same available, it is believed the work can be carried on with that amount.

The Indian appropriation act for 1911 provided that expenses of advertisement and sale of unallotted lands and tribal property should be paid from the pro-

ceeds. The Comptroller of the Treasury August 12, 1911, held that such provision did not warrant the payment of salaries of employees in connection therewith. By departmental letter dated November 7, "Law-92578, 1911, E. B. M.," I was advised that an effort would be made to have inserted in the Indian appropriation bill, when taken up by the House Committee on Indian Affairs, the following:

"*Provided*, That salaries of employees engaged in connection with the sale of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes may be paid from the proceeds of such sales when authorized by the Secretary of the Interior."

Under regulations of the department expenses, including clerical work, in connection with the collection of grazing fees and work incident to furnishing certified copies of records, are paid from amounts collected, and the amounts herein proposed to pay from such sources are for expenses in connection with such work. The amount of grazing fees collected for the use and occupancy of the surface of unallotted land and of segregated coal and asphalt land will be nearly as large for 1912 as heretofore. Of the 1,788,000 acres of unallotted land offered for sale during December, 1910, and January, 1911, about 588,000 acres were disposed of. The remaining 1,200,000 acres of unallotted land are now being offered for sale, such sales having commenced November 2, 1911, and as far as the sales have progressed the results indicate that about one-fourth of said 1,200,000 acres will be disposed of at these sales. Therefore, while the unallotted area, from which grazing fees are collected, will be considerably reduced, the collections from segregated coal and asphalt lands, which can not be disposed of until Congress so directs, will probably be larger than heretofore. Should Congress at the coming session authorize the sale of these lands or the surface thereof, the same could or should not be sold until fall, and the Indians should receive revenues of those occupying same in the meantime. There will also be a considerable portion of the 1,370,000 acres, reserved from allotment on account of the timber thereon, from which grazing fees can be collected in 1912, whether such lands are offered for sale or not.

Concerning the estimate of \$39,750 to be appropriated by Congress for the unfinished work of this office for the fiscal year 1913, I submit the following:

## EXECUTIVE OFFICE.

Total amount required.....	\$23,520.00
Reimbursable from the proceeds sale of certified copies of the records.....	\$1,200.00
From tribal funds (proceeds grazing fees and sales of unallotted lands).....	7,320.00
	<hr/> 8,520.00
Congressional appropriation necessary.....	\$15,000.00

This includes the salaries of the commissioner and other officials now employed.

The chief clerk, in addition to having supervision over office matters generally, handles all matters pertaining to the collection of tribal revenues and other tribal work, including the sale of property other than unallotted land, the illegal cutting of timber and protecting the interests of Indians on the unallotted lands, all matters pertaining to town-site work, approving tribal warrants and all the detail work in connection with the making of bond by banks in the State of Oklahoma securing amounts of tribal moneys arising from the sale of property belonging to the Five Civilized Tribes, and all other matters which properly do not belong in any other division.

## DISBURSING OFFICE.

Total amount necessary.....	\$20,300.00
Reimbursable from the proceeds sale of certified copies of the records.....	\$3,300.00
From tribal funds (proceeds grazing fees and sales of unallotted lands).....	7,000.00
	<hr/> 10,300.00
Congressional appropriation necessary.....	10,000.00

The disbursing office handles all matters with reference to the preparation of accounts, payment of salaries, etc.; payment of money due allottees for the equalization of allotments; receives all payments on unallotted lands sold and for the other tribal property disposed of. This necessitates the keeping of voluminous records and a large amount of clerical work.

There have already been disposed of 11,500 tracts of unallotted lands, and probably 6,000 or 7,000 more tracts will be sold at the sales now in progress. These lands are all sold on the installment plan, and payments are continually coming in and have to be entered, receipts issued, money deposited, and patents issued where full payment has been made.

The work of receiving and disbursing the large amounts of money handled by the disbursing agent and the preparation of the voluminous accounts require a considerable force.

## LAND OFFICES.

Total amount necessary-----	\$19, 850. 00
Reimbursable from the proceeds sale of certified copies of the records-----	\$2, 400. 00
From tribal funds (proceeds grazing fees and sales of unallotted lands)-----	10, 200. 00
	<hr/> 12, 600. 00
Congressional appropriation necessary-----	\$7, 250. 00

Although the work of enrollment and allotment is practically completed, except in the Cherokee Nation, where it is necessary to await the outcome of certain litigation now pending, there are many minor matters and considerable detail work yet to be disposed of, such as the issuance and delivery of patents, certificates, etc.; completing final records, tract books, and ledgers after payments of amounts due to equalize allotments, there being about 101,000 accounts.

In the Cherokee Nation there will be considerable work yet to be done when the case affecting the right of 5,600 new-born citizens to participate in the distribution of tribal property is disposed of; also the case of Moses Whitmire, Trustee, v. The United States and the Cherokee Nation in reference to the rights of about 1,720 freedmen who are on the Kern-Clifton roll, but not regularly enrolled as Cherokee citizens, to enrollment and to participate in the distribution of the funds of the tribe, are finally determined.

There is also some work yet to be done in the matter of the investigation of fraudulent and duplicate enrollments, and investigation concerning small tracts of land reserved for schools, churches, and cemeteries and issuance of patents therefor, and the preparation of the necessary data for the sale and disposition of the remaining unallotted lands, consisting at the present time of approximately the areas indicated below:

	Acres.
Cherokee Nation-----	14, 072
Creek Nation-----	426
Choctaw and Chickasaw Nations:	
Unallotted land-----	1, 142, 071
Reserved on account of timber-----	1, 373, 324
Segregated coal and asphalt land-----	445, 000
Total-----	<hr/> 2, 974, 893

The above lands, with the exception of that reserved on account of timber and the segregated coal and asphalt land, are now advertised for sale, but it is impossible to tell how much will be disposed of prior to June 30, 1912, probably 25 per cent, as shown by the sales now in progress.



## MAILING OFFICE.

Total amount necessary.....	\$7, 660. 00
Reimbursable from the proceeds sale of certified copies of the records.....	\$1, 560. 00
From tribal funds (proceeds grazing fees and sales of unallotted lands).....	3, 600. 00
	<u>5, 160. 00</u>
Congressional appropriation necessary.....	\$2, 500. 00

The mailing office has charge of receiving and recording all letters as received and keeping the records, showing the division of the same, and also of outgoing mail and the work usually pertaining to such division. About 60,000 pieces of mail have been received and 149,000 letters, circulars, and notices pertaining to tribal matters mailed during the past year.

## MISCELLANEOUS EXPENSES.

(Including all items not properly charged up with any division as above set out.)

Advertising, traveling expenses, etc., all from congressional appropriations.....	5, 000. 00
Total congressional appropriation necessary.....	<u>39, 750. 00</u>

The above estimate is the total amount necessary to carry on the work of this office during the fiscal year 1913. The amount of congressional appropriation, estimated at \$39,750 will be sufficient, provided the amount of salaries and expenses indicated above are paid from funds designated as authorized, being expenses in connection with such work and properly chargeable thereto, as heretofore specifically reported to the department.

Respectfully,

(Signed) J. G. WRIGHT,  
*Commissioner.*

I concur in the foregoing statement.

(Signed) THOMAS RYAN,  
*Advisory Counsel and Special Assistant to the Secretary of the Interior.*

*Protecting property interests of minor allottees, Five Civilized Tribes.*

Fiscal year ending June 30, 1912: Amount appropriated..... \$100, 000. 00

Fiscal year ended June 30, 1911:

Amount appropriated.....	90, 000. 00
Amount expended.....	89, 460. 61
Unexpended balance.....	<u>539. 39</u>

## Analysis of expenditures:

Employees.....	62, 208. 71
Heat, light, and power.....	92. 64
Hardware.....	8. 15
Transportation of supplies.....	37. 31
Traveling expenses.....	18, 629. 64
Telephone service.....	412. 57
Stationery and office supplies.....	4, 680. 73
Office rent.....	3, 158. 67
Miscellaneous.....	232. 19
	<u>89, 460. 61</u>

## JUSTIFICATION OF SUPT. KELSEY.

The Indian Office and the department, I am sure, are well aware of the urgent necessity for the continuation of the district agency system. There are approximately 36,000 allottees still within the restricted class in the Five Civilized Tribes. The work of these district agents covers almost every phase of the Indian situation, they having to do with the probate conditions, removal of restrictions, sale of lands under departmental supervision, handling of leases, etc. Some districts, at the present time, with only one district agent and one office assistant, have over 4,000 restricted Indians, besides being called upon to advise and assist, so far as possible, other allottees. They have been swamped with business and the good they have done can not be adequately summed up on paper. The honorable Secretary, in his report for the fiscal year ended June 30, 1910, spoke very highly of the continuance of the district agency system, and the amount requested, \$100,000, ought, by all means, to be appropriated. In fact, with that sum we will be far short of the amount necessary to do all the things expected of this force.

DANA H. KELSEY,  
*Superintendent Union Agency.*

NOVEMBER 10, 1911.

The honorable COMMISSIONER OF INDIAN AFFAIRS.

SIR: As requested in your letter of October 25, 1911, I have the honor to submit the following justification of estimate for appropriation, fiscal year 1913:

Item: For salaries and expenses of district agents for the Five Civilized Tribes, in Oklahoma, and other employees connected with the work of such agents, \$100,000.

This is the fourth year of the district agency organization in the Five Civilized Tribes, appropriations for the first three years being \$90,000, and for the current year \$100,000, and the above estimate for the next fiscal year is the same as that now allowed.

As I am sure has been recognized by every officer of the department as well as the officers of the State of Oklahoma, with whom these district agents have been cooperating, there has never been any more effective legislation for the benefit of the full-blood Indians of the Five Civilized Tribes than that providing for the district agency force.

The 40 counties in eastern Oklahoma are divided, at the present time, into 16 districts, each in charge of a capable district agent at a salary of \$1,800 per annum, having office headquarters with an assistant district agent to look after the office work. The district agent is in the field among the Indians, and looking after the business of the public with such Indians, on an average of four days each week, and in his office two days each week.

Appointments to these positions, under the Executive order of July 12, 1910, are made only by transfer of employees already in the service who are familiar with the complicated conditions of the work to be done and who must be citizens of the State of Oklahoma, and all of such appointments are made under the rules prescribed by and with the approval of the Civil Service Commission.

The division of authority, and therefore responsibility, between the State and Federal Governments, with respect to many phases of the Indian situation of the Five Civilized Tribes, makes it very necessary for State and Federal officers to work together in the protection of the ignorant full-blood Indians and the estates of minors and incompetents, and it is only by effective cooperation and the vigilant watchfulness of all interested in the upbuilding of the State and welfare of this large class of Indians that their property interests can be safeguarded and their ultimate relapse to a state of poverty and complete dependence as public charges prevented.

In this connection it should be mentioned that in addition to the assistance of nearly all of the county judges, with whom the district agents are most closely in contact, the cooperation of many other county and State officials is a matter which deserves especial mention, as results have been accomplished in many cases by reason thereof which would not otherwise have been possible.

Particular mention might be made of the work done in one county within the last few months. Investigation showed a very deplorable probate condition in that county and the matter of remedying same was very splendidly handled

by the joint work of the county and State officials and our district force, resulting in the resignation of the county judge, the refunding of over \$60,000 in actual cash to the estates of minors, the quitclaiming of approximately 12,000 acres of land, and the prosecution by the county attorney and the State attorney general, followed by the indictment by a local grand jury of several persons connected with the alleged frauds, also the removal by the governor of a number of notaries public who were guilty of irregularities in connection with their offices.

The work in this county alone since July 1 of this year has more than paid for the district agency service in the 40 counties of the Five Tribes for the whole year.

Mention should also be made of a large number of cases in the northern part of the State, where it was shown that deeds and leases had been forged and many bona fide purchasers thereby involved. The officers of the district agency force heartily cooperated with the different county attorneys in running down these matters, resulting in the prosecution of a large number of parties charged with these crimes. Similar work has also been done in cooperating with the Department of Justice and the State authorities in similar cases in the Seminole Nation.

There are approximately 36,000 members of the Five Civilized Tribes still in the restricted class, where a portion or all of their lands can not be alienated without the approval of the department. With reference to the removal of restrictions from this large area of restricted land, every individual application is initiated with and reported by the local district agent, and this therefore becomes one of the most important of the duties of these men.

Approximately one-fourth million acres of restricted land has been made taxable by unconditional removal of restrictions or the land sold through the district agency force the effort being, where an Indian has more land than he can possibly use to advantage, to sell such excess portion and to use the proceeds to place his remaining lands in a state of improvement to enable him to secure proper income therefrom, thus not only advancing the interests of that particular individual, but the community as a whole. Special effort has been made in these land sales to interest farmers and bona fide homeseekers throughout the Middle and Northern States. Much literature, advertising eastern Oklahoma, has been distributed during the past year.

The placing of local men in the field is not only of great benefit to the individual Indian, enabling him to have his matters taken up and handled expeditiously on the ground, but is a great saving to the public generally that have business to do with such Indians. Without these local men it would be almost impossible for proper information to be secured upon which the department could act upon removal of restrictions, for instance. Prior to the authorization of the district agents removal of restrictions work was most expensive, was handled very unsatisfactorily and very slowly; it being necessary to have field men make long and expensive trips to look up different applications, and even then the information secured was oftentimes unsatisfactory, because it was impossible in the wide area to be covered for the person investigating to be familiar with local conditions.

It is safe to say that there is no place in the United States where the volume of probate business is as great as in eastern Oklahoma. In other localities it is the exception when the title to real property is in the name of a minor, and it must be remembered that a very large percentage of the millions of acres of land that have been allotted to the over 100,000 members of the Five Tribes has been deeded direct to minors, and in addition thereto the interests of these minors, acquired by inheritance, are also very great. There is but one probate judge for each of the 40 counties, and in addition to the regular probate business these courts also have criminal and civil jurisdiction, and the volume of their work is so great that it is practically a physical impossibility for them to give it the attention it should have. Considering these conditions, great credit is due the county judges for the manner in which they have handled the business.

One of the most important branches of service rendered by the district agents is cooperation with the county judges in connection with this class of cases. In nearly every county the judges are constantly calling upon the district agents for assistance in Indian matters, and the cooperation between the two forces has been excellent. In many of the congested counties we have, at the request of the county judges, detailed special assistants to check the probate

cases and bring to the attention of the courts all delinquent guardians, cases of apparent irregularities in reports, insufficient bonds, etc. This alone has resulted in the saving of many thousands of dollars to minor citizens.

The interests of the State and Federal Governments in these matters are mutual, and in nearly all of these counties the probate judges have not only assured me by word of mouth, but have also from time to time advised me by letter of the assistance given them by the district agency force. In fact, many of the judges state that such assistance is almost indispensable. I might cite one instance of the case of Bryan County, from which county arose complaints with reference to probate conditions that were brought to the attention of the special committee of the House of Representatives about one year ago. Soon thereafter a new county judge was elected in that county and, with the assistance of the district agency force, there is now no county in the State where the probate conditions are in better shape. I have been advised by that judge that as a result of the labors of the special assistant who worked in his court for some weeks, over 500 delinquent guardians were required to report, several were removed, and a number of prosecutions undertaken by the State authorities upon information secured by the checking work done.

There are many matters of importance, in addition to those heretofore referred to, which must be handled in the field, to which space can not be given in this report. Mention should be made of the complicated work in the handling of inherited land deeds, which, under previous acts, must be approved by the department to make them valid, the leasing of restricted lands, the work of advice to the so-called Snake or other recalcitrant Indians, endeavoring to get them to accept present conditions and become contented and useful citizens of the State, the work of seeing that Indian children go to school, assisting in the sale of unallotted lands, per capita payments, etc.

For a more detailed statement of the work actually done, I respectfully invite attention to my annual report for the fiscal year ended June 30, 1911.

So long as there is Indian work to do among the Five Civilized Tribes there can be no more economical and satisfactory way to handle it than through local offices. It must be remembered that we now have an average of over 2,000 Indians in the restricted class for each district agent, besides business that naturally comes from the unrestricted class, because of their tribal interests. Unless existing legislation is entirely changed the work must be done, and if a field force is not provided, it simply means delays which are annoying and unsatisfactory, both to the Indian and the public, as well as the department.

Very respectfully,

DANA H. KELSEY,  
*United States Indian Superintendent.*

MUSKOGEE, OKLA., November 14, 1911.

Respectfully forwarded, concurring in the foregoing statements.

J. G. WRIGHT,  
*Commissioner to the Five Civilized Tribes.*

Commissioner VALENTINE. I may merely offer, not in an official way, a suggestion for making three agencies down there instead of having one, as at present, and providing \$120,000 for expenses of administration of the affairs of the Choctaws and the Chickasaws, including administration and all other matters now included in separate items; also \$120,000 for the administration of the affairs of the Cherokees and Creeks along similar lines; and \$10,000 for the administration of affairs of the Seminoles along similar lines, making a net saving over the items as they now stand in the bill of \$24,000, as I understand. That will be \$250,000 instead of \$274,000.

Mr. FERRIS. Now, Mr. Davenport and Mr. Carter are both here and want to be heard, and I want to ask the commissioner a few questions for the edification of myself.

The Dawes Commission was organized 19 years ago, was it not, Mr. Commissioner?

Commissioner VALENTINE. About that time; I do not remember the exact dates?

Mr. FERRIS. And they began administration upon the estate of the Five Civilized Tribes at that time?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. I will ask you in 1908, 1909, and 1910, if Congress did not put a provision in the appropriation bill which was legislation directing that the moneys be so expended in the Five Civilized Tribes that the affairs of those people would be terminated at the end of that year?

Commissioner VALENTINE. As I recall there was some such provision that these things should be brought to an end.

Mr. FERRIS. It has been the desire of the department for a number of years to bring those affairs to an end, has it not?

Commissioner VALENTINE. Well, not just that way. I can only speak in this matter, Mr. Ferris, for the Indian Office, and these affairs are not directly under me. They are carried on by the personal representatives of the Secretary of the Interior, who report simply through my office to the Secretary.

Mr. FERRIS. I understand. Still, the bulk of that business comes through your office, does it not?

Commissioner VALENTINE. Yes, sir; but I can not speak authoritatively in the matter.

Mr. FERRIS. You are acquainted with the organization of the Muskogee Agency, are you not?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. You are acquainted with the commissioner, Mr. Wright, also Dana H. Kelsey?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. I ask you if these agencies are not pretty highly organized with reference to heads and subheads?

Commissioner VALENTINE. I should state substantially so.

Mr. FERRIS. How much disaster and havoc would be wrought if we cut off that \$74,000 and appropriated \$100,000 for carrying on the affairs of the Five Civilized Tribes and placed it under the direction of the Interior Department, so that the Secretary could cut the expenses and direct that the expenses down there should come within the appropriation?

Commissioner VALENTINE. I should say that that would be a little drastic for the first year, until they saw how the organization worked out.

Mr. FERRIS. But it is fair to say just the first year when for three consecutive years the incoming Congress has directed in terms as positive as it could write them, that those affairs should be closed up in one year.

Commissioner VALENTINE. Not in that sense, but during the first year in which a very substantial change in reorganization has been made.

Mr. FERRIS. But it would not be without ample notice?

Commissioner VALENTINE. I think any one can concede that it will be ample notice.

Mr. FERRIS. I will read from the act of 1908, and I find this language (on page 24 of that act, Public No. 104) title was "for completion of the work":

For the completion of the work heretofore required by law to be done by the commissioner to the Five Civilized Tribes, one hundred and forty-three thousand four hundred and ten dollars, said appropriation to be disbursed under the Secretary of the Interior, and the Secretary of the Interior is directed to so disburse this appropriation as to complete said work by July first, nineteen hundred and nine.

Commissioner VALENTINE. That is very clear standing by itself, Mr. Ferris, but I think it only fair to call your attention to other provisions in some of those bills which made it substantially impossible to comply with them. There were not only those provisions in the bill, but suits pending which made it absolutely impossible to comply.

Mr. FERRIS. The suits are being handled by the Department of Justice, are they not, for which specific appropriations are made?

Commissioner VALENTINE. That is not the point, but we could not wind up the affairs of these tribes until we knew how the suits were decided.

Mr. FERRIS. But inasmuch as that matter is being handled almost exclusively from the Department of Justice—I think I am right about that—don't you think it fair to say that these expenses ought to be diminished and that this agency force ought to be cut down?

Commissioner VALENTINE. I have no quarrel with you on that point. I think it ought to be cut down and terminated as early as practicable.

Mr. FERRIS. Now, in that act of 1908, when we provided that the work should be completed by July 1, 1909, the appropriation was then only \$143,000. Now, in 1912, four years later, the expenses of that agency have grown rather than diminished, and are now up to \$174,000.

Commissioner VALENTINE. No; the whole thing has diminished to some extent. If you will add into that item the expenses of Mr. Kelsey's office, you will find the item has gone from above \$200,000 to below \$200,000.

Mr. FERRIS. Well, I am in error about that. Then, how much has it been diminished since 1908?

Commissioner VALENTINE. I do not recall exactly, but I remember the total of items a couple of years ago was something like \$240,000.

Mr. FERRIS. In what year was that?

Commissioner VALENTINE. I think it was two years ago, possibly three.

Mr. FERRIS. That would be in 1909 or 1910.

Commissioner VALENTINE. I think it was in 1910 the department recommended a cut to \$175,000; then, before the bill passed, data was shown to the committee which led them to put the amount up to something like \$200,000. Now it is \$174,000, a still further cut, therefore showing, if my recollection is correct, that the total amount for the Union Agency and the office of the commissioner of the Five Civilized Tribes has decreased—leaving the district agents out of consideration for a moment—from something like \$240,000 to \$174,000.

Mr. BURKE. Mr. Ferris, in that statement you say the agency at Muskogee. You mean the entire force? They were apparently for separate propositions.

Commissioner VALENTINE. Yes, sir; the entire force.

Mr. FERRIS. The allotment work done there is nearly completed in all of these tribes, is it not?

Commissioner VALENTINE. Substantially completed.

Mr. FERRIS. Authority of law has been given for the sale of all the surplus lands excepting the segregated lands, has it not, and legislation is pretty well under way for that now, as far as the surplus is concerned?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Then, don't you think there could yet be a marked decrease in the official force and in the amount the Federal Government has got to expend to carry on those affairs down there for the present?

Commissioner VALENTINE. I do, sir.

Mr. FERRIS. And no havoc or disaster would be the result if a marked cut was made, would there?

Commissioner VALENTINE. I think not.

Mr. FERRIS. He does use some money from the leasing division and some from the surplus-sales division?

Commissioner VALENTINE. I think he does.

Mr. FERRIS. They have at the Muskogee Agency what is known as the leasing division, a royalty division, sales and accounts division, restriction division, field and intruder division, clerk's division, cashier's division, typewriter's division, mailing division, and pipeline division. Don't you think that is an unusually highly organized concern down there, and could not a great lot of those divisions be dispensed with and economy practiced there?

Commissioner VALENTINE. I think, while they look rather numerous on paper, that Mr. Kelsey, superintendent of the Union Agency, has his office pretty well organized; I think the really unnecessary expenses, if I am correct in thinking that there is some, lies not so much internally in his office, or even internally in the office of the commissioner to the Five Civilized Tribes, perhaps, as in the duplication that exists between the two offices, and that the substantial saving which could be made would be made in combining those two offices under one head, and that a still further substantial saving could be made, having combined those two offices under one head, in splitting them up as suggested in response to the question of you gentlemen here.

Mr. FERRIS. J. George Wright's division spends about \$39,000 a year, I notice from your justification, and the Kelsey division spends the rest of it, which together approximates \$174,000.

Commissioner VALENTINE. Mr. Wright, I think, spends a great deal of tribal money.

Mr. FERRIS. You would not care at this time to indicate which one of those divisions could be best dispensed with?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. You think it would be better to cut the appropriation and let him divide it as he thinks best?

Commissioner VALENTINE. I think that should be left to the administration office.

Mr. FERRIS. There were, at the beginning of 1908, 2,800,000 acres of land, and they have been selling a great deal of that, have they not, Mr. Commissioner?

Commissioner VALENTINE. That is as I recall it.

Mr. FERRIS. That leaves about 1,200,000 acres not disposed of; that includes the surplus land, does it not?

Commissioner VALENTINE. I do not think it includes either the segregated area of 1,500,000 acres of timber land. We generally handle those reserve lands under three items: Segregated coal lands over 400,000 acres, and the so-called forest reserves, about 1,500,000 acres, and the rest of the surplus lands.

Mr. FERRIS. There is no legislation provided for to dispose of all those lands?

Commissioner VALENTINE. Except the segregated lands.

Mr. FERRIS. You are using the funds from the proceeds to pay for the expenses of the sale?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. And of the segregated lands?

Commissioner VALENTINE. We can not completely pay the expenses, because the comptroller has limited us as to what we can use that money for.

Mr. FERRIS. But there is authority in the legislation to use the proceeds of the funds from the sales?

Commissioner VALENTINE. We are asking wider authority than we now have.

Mr. FERRIS. If the segregated surface bill becomes law (it has just passed both Houses), it provides that there shall be sufficient funds deducted from the proceeds of the sales to carry on that expense, does it not?

Commissioner VALENTINE. I have not read the bill. That is my understanding.

Mr. FERRIS. Well, that is a fact. And do you think there could be considerable economy practiced at the Muskogee Agency?

Commissioner VALENTINE. There is no question in my mind.

Mr. FERRIS. That is all.

Mr. BURKE. Mr. Commissioner, your statement, as I understand it, is substantially that by changing the administration of affairs in the Five Civilized Tribes you believe a substantial saving could be made in the amount necessary to pay the expenses thereof. That is your statement, is it not?

Commissioner VALENTINE. That is correct, Mr. Burke.

Mr. BURKE. Now, will you explain to us wherein there is anything in the paragraphs now under consideration that has anything to do whatever with the question of the details of the administration, and that it is entirely within the discretion of the department to make such an administration as they believe wise?

Commissioner VALENTINE. I am not sure that I shall answer your question just as you ask it, because I do not carry it quite all in my head, but I think this is correct, the answer may meet your question. I see nothing in the law that prohibits or prevents the handling of the affairs of the two offices now existing in Muskogee as the Secretary may determine wise.



Mr. BURKE. Then if there has been extravagance in maintaining the two offices, the remedy would be in the hands of the department, would it not?

Commissioner VALENTINE. If there has been extravagance; yes, sir.

Mr. BURKE. Well, you are stating an opinion?

Commissioner VALENTINE. I am stating my own personal opinion, and I will give it in the language which was incorporated in a letter addressed by me to the Secretary of the Interior, dated April 21, 1911, which the committee asked me for the other day; and I take pleasure in submitting, not for the record, but that the committee may have in concrete form my opinion and recommendations.

Mr. BURKE. Just read such portions as you think should be incorporated in the record.

The CHAIRMAN. How long is it?

Commissioner VALENTINE. The letter is five pages.

The CHAIRMAN. Will you indicate, then, what parts you specifically want discussed?

Commissioner VALENTINE. I think I can make a brief statement of the letter. Then the letter can be available if it is wanted.

My letter was called forth partly by my desire to give the Secretary an insight into the situation, and immediately by the resolution introduced by Representative Carter authorizing the Speaker to appoint a committee to investigate the affairs in the Five Tribes. I called the attention of the department to my various earlier recommendations as to reorganization there.

Speaking, among other things, of a memorandum I submitted to Mr. Norton, then secretary to the President, who was anxious to effect economies, of what is needed, I said I believed the Union Agency should be divided into three superintendencies, as I have outlined here. The expenses have already been somewhat reduced there by bringing the offices physically together in one building, making a saving in rental. That, in my judgment, is only a beginning of what could be done.

Mr. FERRIS. Well, if bringing them together is a saving of rental will not the creation of three new offices be an increase of rental?

Commissioner VALENTINE. No, sir. It will be a reduction, because the Muskogee office can be more largely diminished than the others will need to be increased. Then I simply explained here what these respective three jurisdictions would cover, and make the point in this letter that Mr. Burke has just developed, that Congress expressed, by the wording of the item when they grouped them, to give the department discretion, in expending the amount appropriated, to discontinue as well as establish positions necessary for the administration of the affairs of the Five Civilized Tribes.

I simply end up by saying: If these recommendations are adopted I am of the opinion that it will result in decreasing Government appropriations for the work of the Five Civilized Tribes, will enable the department to more carefully conserve and protect tribal and individual Indian property, will promote increased efficiency in administration, will enable the superintendents in charge to get into closer contact with the Indians and study more carefully their needs, give the superintendents a better opportunity to solve the big problems under their respective jurisdictions, and place the work of the Five Civilized Tribes on a sound business basis.

Mr. BURKE. Now, it has been the policy of your office, and this committee has aided you in bringing about the securing of appropriations in a lump sum rather than by itemized amounts for specific objects, believing that that was in the interest of economy, is it not?

Commissioner VALENTINE. Most decidedly so. I think you encouraged that policy; yes.

Mr. BURKE. Now, I want to go back to the appropriation for the fiscal year ending June 30, 1910, and call attention to the manner in which the appropriation was made, being divided up into different items, as you will recall, and the aggregate of those appropriations is \$327,000. Now, in the appropriation bill for the next fiscal year we adopted substantially the form that we did in 1910 and made the amount \$290,000, so that there was a saving there in the amount appropriated of \$37,000, which was a pretty good decrease for one year.

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. Now, the next fiscal year, which was last year, we adopted this paragraph, which was all that was necessary, really—substantially the same as we did in the appropriation bill for the year 1911, and made the appropriation for \$275,000, or a decrease of the year before of \$15,000, and there is the employment, as I remember it, of four additional district agents.

Now, if I am not mistaken, and if I am you will correct me, I think the act in making appropriation for the district agents provided for not exceeding five, did it not?

Commissioner VALENTINE. No, sir; that was not exceeding five in western Oklahoma. There were more district agents, but after they had been tried on the eastern side of the State the Indians on the west side felt that there should be district agents over there; and out of the money appropriated the Secretary was given authority to employ not exceeding five in the western part of the State.

Mr. BURKE. Yes; but were not the other four then paid from some other fund?

Commissioner VALENTINE. I made a recommendation that at the time we ask for their discontinuance, feeling that we should not mix affairs of the two sides of the State, that the district agents on the west side could be paid out of the local funds, is my recollection.

Mr. BURKE. Well, you are now paying nine district agents?

Commissioner VALENTINE. No; we are paying 16.

Mr. BURKE. And how many district agents did we have prior to the fiscal year ending June 30, 1911, if you know?

Commissioner VALENTINE. I do not recall.

Mr. BURKE. Well, we did not have 16.

Commissioner VALENTINE. I think we had very nearly that number from the beginning, didn't we? I do not think there is any time we had less than 12.

Mr. BURKE. Well, no matter; we have reduced the expense, if the figures I have given you are correct, \$37,500 for the fiscal year ending June 30, 1911, and \$15,000 for the fiscal year ending June 30, 1912.

Mr. FERRIS. What are your totals there?

Mr. BURKE. Now, Mr. Commissioner, instead of adopting the suggestion that you make in creating three agencies, why can not we

accomplish this same result by simply making a substantial reduction in the appropriation for the administration of the affairs of the Five Civilized Tribes, cutting it from the amount estimated, \$174,000, down?

Commissioner VALENTINE. Well, if you were to take \$24,000 off that and leave to the discretion of the department the distribution of that total as it is now, and my plan is feasible, that would work out perfectly well.

The CHAIRMAN. Mr. Davenport, have you any suggestions to offer?

Mr. DAVENPORT. On that section, Mr. Chairman, I have no suggestions to offer, except this: That there ought to come a time when the reduction should be made. Personally I know that nearly all of the tribal lands in the Cherokee Nation, if not all of them in the Creek and Seminole Nations, have been disposed of.

There might be some sales which would require collection of deferred payments. One line in which reduction can be made is the district agents. The work is considerably reduced, and should be reduced very greatly for the reason that titles are being adjusted, and the department of corrections and charities in the State are aiding very materially in the work that the Indian agents are doing, but I think that \$150,000 is enough to run that whole thing down there.

The CHAIRMAN. What would be the effect in the department by having three agencies—one for the Choctaws and Chickasaws, one for the Creeks and Cherokees, and one for the Seminoles?

Mr. DAVENPORT. Well, I have no material objections to that yet. I have always thought, and still think, it would create some difficulty in segregating the records and some additional expense. I think by correlating the work of the different agencies, bringing the records together under the head of one agency, it would be a better policy, and I think if you can maintain that agency the work will be done with greater efficiency in that way; at least it will be as well or better accomplished than by segregating it.

There are a few things to be done yet in the Creek and Seminole Nations, and this is to collect the deferred payments upon the properties that have been sold, equalize the Creek allotment, and look after the restricted Indians that have not been turned loose and have not been allowed to handle their own affairs.

The CHAIRMAN. It has been stated, Mr. Davenport, that it would be better to have them separated, so that the Choctaws and Chickasaws would not have to travel so far to come to Muskogee, and also for the Seminoles, in all matters pertaining to the lands, funds, etc., and it would not cost the Government nor the Indians money for traveling so far.

Mr. DAVENPORT. If we are going to discuss the policy of maintaining district agents, I would say we have no objection to separating them, but if we are going to retain these district agents they should be given absolute power to pass upon the questions within the jurisdiction of the respective counties where the agencies are located and the party should not be required to go to Muskogee at all.

The CHAIRMAN. Well, then, what would be the use of maintaining the Muskogee agency at all?

Mr. DAVENPORT. There must be some kind of fountain head to all of them in the administration of affairs, but if we are going to main-

tain the district agencies down there, these agencies, having jurisdiction I believe of three counties, they should be given greater power than they have, or the power they have should be taken away and simply delegated as a kind of a perfunctory job, the real power being vested in the central agency.

For instance, in order that you may understand my position, I addressed a letter to the commissioner last year. Mrs. Saunders made application to the agency at Tahlequah to have her restrictions removed. More than five months ago that agency transmitted it to the Muskogee office, and the papers have not reached Washington yet.

It takes so long to do those things. There ought to be some power, and I would insist if we are going to maintain the agencies, that an agent ought to be delegated with the power to adjust every difference when he hears the facts, hears the parties; and therefore to enter an order either removing or refusing to remove the restrictions upon the nations, or any duties that are enjoined upon him.

Mr. BURKE. Then you are in favor of a law authorizing the Indian agents to remove restrictions?

Mr. DAVENPORT. Now, I would, not because I have any objection to the present method where it finally comes up and is acted upon, but because of the very great delay when a party applies for them.

There are some Indians, I am frank to say, that apply in order to spend the money; but there are others that apply for it in order to invest it, and they are as competent to invest it as anyone I know, but these uncertainties work very great hardships upon the Indians who are honestly trying to accumulate money as well as the rest of the people in that country.

The CHAIRMAN. Do you think you might not open the door for a great deal of graft on the reservation or other outside influences to remove the restrictions?

Mr. DAVENPORT. No; I think not, for the very simple reason that he takes all the testimony, and the commissioner and Secretary have nothing further than what he has taken to act upon why they act here.

In other words, Mr. Chairman, I take this position: While I confess that in the Indian Territory part of Oklahoma there has been some graft, my contention is that there is no more graft there than there is in the city of Washington according to the population of the two locations, and it matters not what form of government you start in on you are going to have some fellows desiring to graft; but as a rule I believe that all the Indian officers in the Interior Department, in Oklahoma, as well as the officers selected by the State, are honest, upright gentlemen. Once in a while, I say, you may find a fellow who will do that, but I do believe you will find that, as a rule, these men are honestly trying to perform their duties.

The CHAIRMAN. Then you have no objection to the reduction of this amount?

Mr. DAVENPORT. I think it is too high. I believe that progress is being made along there, and I think that somewhere along the line there ought to be a very great reduction in the expenses.

Mr. BURKE. Your statement as to that matter, Mr. Davenport, is that you think it ought to be less?

Mr. DAVENPORT. I think it ought to be less.

Mr. BURKE. You are not possessed of information that would enable you to explain to us where we could cut from the surface?

Mr. DAVENPORT. Knowing the work that has been completed, it seems to me they could base it upon the work.

Speaking now for the Creek, Cherokee, and Seminole Agencies, knowing the surplus lands are out of the way, there is one proposition of collecting the royalties upon the payments upon the lands that have been sold. That being out of the way, more than half the labor required heretofore of the department down there has been completed.

Mr. BURKE. Well, you appreciate that we have been gradually reducing and have reduced the expense in the last few years something over \$50,000.

Mr. DAVENPORT. Well, yes; I remember from the record it has been reduced somewhere from \$40,000 to \$60,000, in round numbers; the average I would not like to undertake to say. As stated, I have no objection to dividing up the agencies, but I believe that \$174,000 is more than is necessary to maintain the work down there.

Mr. FERRIS. One moment. Do you intend to say something further with regard to the district agencies? If not, I want to ask you a question.

Mr. DAVENPORT. Yes; but I wanted to take it up under that head.

Mr. BURKE. Mr. Davenport, it is a fact that the Commissioner of the Five Civilized Tribes now, Mr. J. George Wright, is unpopular in Oklahoma among people down there, the Indians, is he not?

Mr. DAVENPORT. Well, I could not say, Mr. Burke.

Mr. BURKE. Has not there been, to your knowledge, not only a desire, but a determination, to drive him out of that position?

Mr. DAVENPORT. Well, that I could not say, because I want to say for Mr. Wright that my section of the country is friendly to him, and that possibly when you speak of criticism, Mr. Wright has not been criticized by the Cherokee and Creek people as far as has come to my knowledge.

Mr. BURKE. But what of other members of the tribe?

Mr. DAVENPORT. Well, Mr. Burke, I am not qualified to say, being interested both ways in the Cherokee people; I have always found Mr. Wright in the transaction of business not only courteous to me and to the people I represent, but absolutely fair, and I can say this with a degree of confidence: That is, that Mr. Wright disagreed with me one time because I disagreed with him, and sought to deprive me of one year's salary, and notwithstanding that, I do not hold that against him, and he is always fair to me; and afterwards he admitted that he did me an injustice and he wanted to make me help him push out the governor, who was my friend, but I disagreed with Mr. Wright.

Mr. FERRIS. Mr. Davenport, it is not anything personal on the part of you or our delegation with regard to the officers; it is only a disposition on the part of yourself and our delegation to terminate the affairs?

Mr. DAVENPORT. Yes; to terminate the affairs as speedily as possible.

Mr. FERRIS. Is it not your desire to bring that to an end—not on account of anything personal?

Mr. DAVENPORT. There is nothing, as far as my people are concerned, in regard to the department or anything of that kind. It is a simple desire to wind up the affairs as speedily as possible, and it seems to the people down there that the affairs ought to be wound up.

The CHAIRMAN. The appropriation bill contains an additional appropriation now for the payment of salaries for persons employed in connection with the sales of allotted and unallotted lands, reduced from \$175,000.

Commissioner VALENTINE. We feel it necessary to submit here a supplemental statement on account of the decision of the comptroller, which cut us off from paying certain of these expenses as we had supposed we would be able to do under the law.

The CHAIRMAN. Then there was an unexpended balance that would be turned back into the Treasury from this appropriation?

Commissioner VALENTINE. No, sir; the intention has been to meet all expenses involved in the work of advertising and selling the surplus and unallotted lands from the proceeds of the sale, and I think it is my understanding that it was the intention of Congress under the law under which we were acting; but the question here arose and the matter was put up to the Comptroller of the Treasury, who decided that only certain expenses could be paid out of the proceeds of the sale, which appears to make it necessary to ask Congress to make an appropriation that will cover the other expenses. I offer in justification of that item the statement on pages 4 and 5. I do not recall submitting this particular item for the record previously. This last item, as I have stated, is on page 4, and extends over to page 5 in House Document No. 432, Sixty-second Congress, second session, "Supplemental estimate for the Indian service," and is as follows:

For payment of salaries of persons employed in connection with the work of advertising and sale of surplus and unallotted lands and other tribal property belonging to any of the Five Civilized Tribes, \$25,000, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Interior and reimbursable from proceeds of such sales, to be immediately available (act Mar. 3, 1911, vol. 36, p. 1067, sec. 17).

NOTE.—The Indian appropriation act for the fiscal year ending June 30, 1912, approved March 3, 1911 (36 Stat., 1069), contained the following provision:

"SEC. 17. For expense of administration of the affairs of the Five Civilized Tribes, Oklahoma, including the salary of superintendent at not to exceed four thousand five hundred dollars per annum, and the compensation of all employees, one hundred and seventy-five thousand dollars."

A subsequent paragraph in the same section also provided, in part, that:

"The net receipts from the sales of surplus and unallotted lands and other tribal property belonging to any of the Five Civilized Tribes, after deducting the necessary expense of advertising and sale, may be deposited in national or State banks in the State of Oklahoma in the discretion of the Secretary of the Interior \* \* \*."

The intention of the above act as understood was that the expenses incident to the sale and advertisement of these lands should include salaries of employees engaged on such work, and that the \$175,000 appropriated by Congress was to provide for salaries of all other employees.

The original estimate for "Administration of affairs, Five Civilized Tribes," was \$200,000, but as provision was made for paying necessary expenses of advertising and sale of unallotted lands from proceeds, it was estimated that \$25,000 of such proceeds would be necessary for paying of salaries of employees in connection therewith, the \$175,000 appropriated by Congress was deemed sufficient.

The Comptroller of the Treasury, however, in an opinion dated August 12, 1911, holds that as \$175,000 appropriated included the compensation of all em-

ployees, therefore payment of salaries of any additional employees connected with the sale of lands could not be paid from funds arising therefrom.

A number of employees have been and will be absolutely necessary in connection with these sales, aggregating about 2,787,000 acres of land, requiring their reoffering several times until disposed of. Such employment is especially necessary in preparing descriptions of land for advertisement, attending and preparing records of sales, receiving and recording payments extending over a period of two years, and preparing, recording, and issuing deeds therefor.

The salaries and expenses of employees engaged in the offering of these unallotted lands in the field, commencing November, 1910, and ending February, 1911, at which time 1,787,972.38 acres were sold (leaving to be offered from November, 1911, to January, 1912, 1,199,191.48 acres), was approximately \$5,600, including salaries of the office force engaged on work in connection with such sales, including receiving and accounting for moneys, issuing receipts, patents, etc., and preparing advertisements for lands remaining unsold.

The CHAIRMAN. So, this appropriation is necessary to enable these sales to be closed up?

Commissioner VALENTINE. That is my understanding, unless the comptroller should reverse his ruling.

The CHAIRMAN. Now, suppose there is some land unsold—there is quite a body of it unsold—would this be sufficient to enable J. George Wright, who is conducting these sales, to finish them up; do you think it would require an additional amount next year or other years? Will this appropriation be sufficient to close up this matter?

Commissioner VALENTINE. I should hesitate to say that it will be sufficient, Mr. Chairman.

Mr. CARTER. I would like to ask the commissioner a question. How much of the lands of the Choctaws and Chickasaws have been sold?

Commissioner VALENTINE. I have no idea how much it is by tribes, but the bulk of this has undoubtedly been disposed of. 1,787,972.38 acres were sold from November, 1910, to February, 1911, leaving to be offered from November, 1911, to January, 1912, 1,199,191.48 acres.

Mr. CARTER. Did you say that 1,780,000 acres were sold of the Choctaws and Chickasaws after February, 1911?

Commissioner VALENTINE. No, sir; Mr. Carter, I think it was about 600,000 acres.

Mr. BURKE. This says that 1,780,000 acres of land were offered for sale from December 10 to January 11; about 588,000 acres were disposed of, the remaining 1,200,000 of unallotted lands are now being offered for sale, such sales having commenced November 2, 1911.

Commissioner VALENTINE. That is correct.

Mr. BURKE. Just after that and since the sales have progressed the results indicate that about one-fourth of the 1,200,000 acres will be disposed of at these sales, leaving there 800,000 acres.

Mr. CARTER. Now, Mr. Commissioner, you had to begin with 1,780,000 acres of unallotted lands, 1,500,000 of timber lands, and 440,000 acres of segregated mineral lands, which make in round numbers 3,700,000 acres in all, yet there has been sold only about 588,000 acres?

Commissioner VALENTINE. Yes, sir.

Mr. CARTER. Then, less than one-sixth is all that has been sold up to this time?

Commissioner VALENTINE. If these figures are correct, there have been more than that 588,000 acres sold altogether.

This statement says "the salaries and expenses of employees engaged in the offering of these unallotted lands in the field, commencing November, 1910, and ending February, 1911, in which time 1,787,972.38 acres were sold."

Mr. FERRIS. That is wrong, that is the total amount you had to start with.

Commissioner VALENTINE. Then it says "leaving to be offered."

Mr. FERRIS. Well, that is an error. There is now much more sold than your statement indicates, because you have been constantly selling down there.

Mr. CARTER. What I want to get at is this: For all this expenditure of our funds less than one-sixth of our unallotted lands have been disposed of; so it really appears that this item is not only necessary now but that we may expect a recurrence of such expenses for many years to come.

Commissioner VALENTINE. Not if this item were adopted by Congress.

*Provided*, That salaries of employees engaged in connection with the sale of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes may be paid from the proceeds of such sales when authorized by the Secretary of the Interior.

Mr. BURKE. That does not call for any appropriation.

Commissioner VALENTINE. That is the only way I can see by which this \$25,000 item can be provided for with the least difficulty, otherwise your statement is correct.

Mr. CARTER. In other words, Mr. Commissioner, there is no prospect of winding up the sales of those lands within the immediate future?

Commissioner VALENTINE. No, sir.

Mr. CARTER. It will take, at the rate at which you have been going, several years yet to finish the sales?

Commissioner VALENTINE. No; I do not think so, Mr. Carter. I think the remaining lands can be sold fairly soon, and with the increasing less administrative machinery.

Mr. CARTER. Well, I think a great deal of money and time might be saved if these lands were offered for sale without regard to appraisalment. In that way the sales could be cleaned up and something finally finished. Even after that you have on hand the timber reserve and the segregated mineral land, aggregating approximately 2,000,000 acres, not one foot of which has yet been sold?

Commissioner VALENTINE. Yes, sir.

Mr. CARTER. Then it does not look favorable for an immediate dispensing with this item?

Commissioner VALENTINE. You are perfectly correct, unless some such item as this were to go through and also unless the timber reserves could be bought up.

Mr. FERRIS. What has the paying of expenses of the Indian Department got to do with speed in disposing of these sales?

Commissioner VALENTINE. We were talking about this \$25,000 item and whether to appropriate it next year. The only way to provide for it is as I have just read.

Mr. BURKE. Well, unless there is an appropriation to provide machinery there will not be any of these sales made. There must



be provision for paying the expenses somewhere. The lands must be sold in order to close this estate, and unless we can pay the expenses, why, we can not sell them.

Commissioner VALENTINE. I think that is correct.

Mr. FERRIS. You say that you can not use funds sufficient to pay these expenses of these sales on account of the ruling of the Comptroller of the Treasury?

Commissioner VALENTINE. Yes, sir. That question was put up to the comptroller on August 12, 1911, and he decided that this \$175,000 was provided only for the compensation of regular employees; therefore the salaries of any additional employees connected with the sale of lands could not be paid from funds arising therefrom, and consequently it limited the proceeds to be used for expenses and not for salaries.

Mr. FERRIS. Wel, haven't they a sufficient corps of officers at the Muskogee Agency to conduct these sales?

Commissioner VALENTINE. As I understand it, last year they expected to cover all of the expenses out of the sales of these lands, but it was found that they did not receive enough to do so.

Mr. FERRIS. But it has developed in this hearing that we have more agents and other officers than are needed at Muskogee; then why not use the same force in the sale of these lands and let them come right under the ruling of the comptroller and use what moneys they can under this act, rather than burden it by the addition of more?

Commissioner VALENTINE. Of course, this \$25,000 would furnish an offset for the \$24,000 we talked about.

Mr. FERRIS. When was that made?

Commissioner VALENTINE. That ruling of the comptroller was made August 12, 1911.

Mr. FERRIS. What is the reason you did not put this in the regular estimates, and why did you withhold it and submit this supplemental estimate?

Commissioner VALENTINE. It was not brought to our attention by the Commissioner of the Five Civilized Tribes until after our estimate was made.

Mr. FERRIS. The ruling of the comptroller was made in last August some time.

Commissioner VALENTINE. Yes.

Mr. FERRIS. Let me inquire about the treaty. You, of course, are familiar with the treaty that provides for the closing up of the affairs of the Five Civilized Tribes? What is your construction of that treaty as to whether or not the Federal Government is bound to settle up these affairs of these Indians without expense to them?

Commissioner VALENTINE. I feel that I am not a lawyer, but my own judgment and my own advice is that up to a certain extent, at any rate, the Government in compliance with that treaty is bound to make appropriations.

Mr. FERRIS. It was undoubtedly the intention of the Federal Government, at the time that treaty was made, in the language of the treaty, to close these affairs, don't you think?

Commissioner VALENTINE. I think so.

Mr. FERRIS. Then, in all good faith, the Government ought to do it?

Commissioner VALENTINE. Yes; the Government can not afford to break half of a letter under the treaty.

Mr. FERRIS. Then, that being so, was not the American Congress justified in taking from the Indians funds to administer the affairs of the tribe?

Commissioner VALENTINE. As I understand it that treaty does not cover this particular contingency—these unallotted lands.

Mr. FERRIS. I am aware of the fact, and I want to make this observation at this point, that everywhere in the United States the Indians had lands, even where no treaty intervenes, when lands were sold we felt it our duty to make them pay the expenses connected with the sales of those lands, and then when the gratuity time came to deal with it then.

Commissioner VALENTINE. Not only to the advantage of the Indians, but to all others.

Mr. FERRIS. Then if our construction is the correct one of this treaty, we, of course, could not invade the treaty here?

Commissioner VALENTINE. Not for one minute.

Mr. BURKE. But there is nothing in the treaty with regard to the question of selling unallotted lands, is there?

Commissioner VALENTINE. That is my understanding, that the treaty does not provide for the sale of unallotted lands.

Mr. BURKE. And further, it did not contemplate that there would be any surplus lands, but contemplated that the land would all be allotted, did it not?

Mr. CARTER. That was the treaty of 1898, not the treaty of 1902.

Mr. BURKE. Well, it was contemplated that you could cut up town lots under the treaty, provided they did it altogether.

Mr. CARTER. The first treaty provided not only for town sites, but for allotments of all lands also. The treaty of 1902 provided for allotment to the amount of 320 acres of average land, the remainder to be sold. Both treaties provide for town sites and, I think, the treaty of 1898 provided that the expense of the town sites should be paid by the Government. The treaty of July 1, 1902, provides that the expense of enrollment and other matters shall be paid by the Government; there is no positive assertion about payments for the sale of the unallotted lands.

Mr. BURKE. Well, the only justification for it would be that we are rendering the Indians a service that is worth more than the cost to them, and certainly the Government ought not to be paying the expenses unless they are obligated by the treaty; and it has been our policy to charge to the Indians the expense whenever we could do so and keep within the treaty obligations, and when they had the money with which to pay the expenses.

Mr. FERRIS. May I interrupt you right there? The crux of the whole proposition is, What is that treaty? Has the Attorney General ever construed that treaty? If we are not bound by the loyal treaty obligations, I would hold with you, but if the treaty does provide that I think there is not anybody that would not want to pay it. Has the treaty ever been construed except as we construe it?

Mr. CARTER. It is neither asserted that the Federal Government shall or shall not pay, nor that the tribes shall or shall not pay. The agreement is silent.

Mr. BURKE. I consented to some legislation, Mr. Ferris, reducing the rate of interest that was to be paid on moneys going into the Treasury for the Indians in my State on the theory that we adopted a different proposition and practically gave them the whole lot of land and sold it for the most we could get for it. It was originally contemplated that we would get \$1.25 an acre, and when we sold that for \$6 an acre I think we were justified in reducing their interest on deposits from 5 per cent to 3 per cent. Now, Mr. Commissioner, have you any information there to enable you to state how much money has been expended and charged to the Indians on account of the sale of unallotted lands?

Commissioner VALENTINE. This statement says "approximately \$5,600, including the salaries of the office force engaged in work in connection with such sales."

Mr. BURKE. Making about \$12,000?

Commissioner VALENTINE. Yes, sir.

Mr. CARTER. I would like to ask the commissioner a question.

The CHAIRMAN. On this item that we have just passed?

Mr. CARTER. Not directly, but it bears on that item; it is about the proposition of the Indian funds that are being expended by the department. I want to ask you, Mr. Commissioner, if extensive payments are not also made out of the tribal funds, such as the expenses of the officials while making payments to Indians and for sundry other expenses?

Commissioner VALENTINE. You mean the salaries or the expenses?

Mr. CARTER. I mean both or either.

Commissioner VALENTINE. There are regular salaried employees used in making the payments.

Mr. CARTER. What I want to know is this: Are not a considerable portion of the expenditures in support of the different Indian offices at Muskogee taken from tribal funds? If so, how much and by what authority are tribal funds so expended?

Commissioner VALENTINE. Both salaries and expenses are paid out of the gratuity appropriation. We can verify that.

The CHAIRMAN. I would like very much to go over another item here before 12 o'clock. That will bring us down, then, to the expenses

The CHAIRMAN. The next item is submitted in the supplementary estimate, on page 8, under the heading "Payment to certain Chickasaw Indians." Have you anything to offer in justification of that, Mr. Valentine?

Commissioner VALENTINE. I offer in justification of that item the following:

That the Secretary of the Interior is authorized and directed to pay, out of any tribal funds of the Chickasaw Nation now standing to the credit of said nation in the Treasury of the United States, \$4,986.70, to complete the \$40 per capita payment to the citizens of the Chickasaw Nation, as provided for by section 72 of the act of Congress, approved July 1, 1902 (32 Stat. L., 641), to be immediately available (submitted).

NOTE.—The appropriation requested from the funds of the Chickasaw Nation is necessary in order to complete what is known as the Chickasaw incompetent

payments of \$40 per capita under section 72 of the act of Congress approved July 1, 1902 (32 Stat. L., 641).

The superintendent of the Union Agency reports that there is \$413.30 available for payment from the so-called Chickasaw incompetent fund to the 135 enrolled Chickasaw citizens who have not heretofore received the \$40 per capita payment. It would require \$5,400 to make a \$40 per capita payment to the 135 Chickasaws, and, after deducting the \$413.30 now available, would leave a deficit of \$4,896.70, the amount herein requested.

As this is one of the unfinished matters in connection with the tribal affairs of the Chickasaw Nation not finally disposed of, it is requested that the \$4,896.70 from the tribal funds of the Chickasaw Nation be made available for payment to the Chickasaw citizens who have not heretofore received the \$40 per capita payment out of the Chickasaw incompetent fund.

The CHAIRMAN. This estimate gives the full reasons why this payment should be made?

Commissioner VALENTINE. I think so, Mr. Chairman.

The CHAIRMAN. Do you wish to ask the commissioner any questions, Mr. Ferris?

Mr. FERRIS. I would like to ask Mr. Carter what he thinks about it?

Mr. CARTER. That is the completion of a bribe to bring about the approval of the treaty of 1902 with the Choctaws and Chickasaws. There was a great deal of opposition to the treaty and the fertile brain of some commissioner generated the idea that a per capita payment would be an excellent bait to catch votes for its approval. Knowing this influence to be as strong with the Indian as it is with the white man, this payment thing was dropped in.

Commissioner VALENTINE. I think most of the treaties carry their bribes with them.

Mr. CARTER. The Chickasaws had been urging this "orphan and incompetent" claim for years, without result. When they finally got it in this way the claim was so old that the real beneficiaries could not be located, and it was paid out per capita. It seems there was not enough to go around at the rate of \$40 for all, and this small item seems now necessary to complete the bribe. Is not that about the size of it, Mr. Commissioner?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. The amount is due?

Mr. CARTER. Yes; it is due; due in this way, Mr. Burke. They set aside a certain fund. That fund was to constitute a per capita payment of \$40 each, but there was not sufficient to pay all out of that fund.

Mr. BURKE. Have they all been paid?

Mr. CARTER. Most of us got our bribe money before the boodle got short.

The CHAIRMAN. Have you any list of this estimate?

Commissioner VALENTINE. The Union Agency has such a list, on which this estimate was based.

The CHAIRMAN. Then you have submitted a list and have it on file in the Union Agency as a basis for this?

Commissioner VALENTINE. We can submit it if you would like.

The CHAIRMAN. Yes; we would like to have that as a basis for the payment of the \$40 under this treaty.

Mr. CARTER. This statement shows there are as yet 135 Chickasaws unpaid, and there is on hand \$413.30; but it will take \$5,400 to complete the payment to these 135 Chickasaws, making an additional amount of \$4,896.70 necessary.

Commissioner VALENTINE. Mr. Chairman, I would be glad to submit a copy of the roll, which would make the record complete.

The CHAIRMAN. It is not necessary to encumber the record with that roll.

Commissioner VALENTINE. Leaving the moral issue out of the question, if some have been paid all should be. Possibly Mr. Carter would be willing to return his amount.

The CHAIRMAN. The next item is the salaries and expenses of the district agents for the Five Civilized Tribes. How many of these agents are there?

Commissioner VALENTINE. Sixteen at the present time, Mr. Chairman.

The CHAIRMAN. How were they distributed between the different tribes?

Commissioner VALENTINE. I have here a list showing the official headquarters of the different agents, which you might like to put in the record.

The CHAIRMAN. Is it with reference to counties or tribes?

Commissioner VALENTINE. It is by counties.

The CHAIRMAN. I do not think it is necessary to encumber the record with it.

Commissioner VALENTINE. It shows the jurisdiction of each agent.

The CHAIRMAN. Now, I desire to ask this question: Do they have any definite location where they keep their records in the office, or anywhere else?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. How is that in giving ready access to the Indians; so that they can reach them without traveling so far?

Commissioner VALENTINE. They arrange it so that they can spend a portion of each week in their offices. The rest of the week they are out in the field.

The CHAIRMAN. To whom are the reports made?

Commissioner VALENTINE. To Superintendent Kelsey, the Indian agent at Muskogee.

The CHAIRMAN. Have they authority to finally act upon any of the questions that come up before them, or do they have to submit the question to Mr. Kelsey at the Union Agency?

Commissioner VALENTINE. Under the law they submit them to him, and he submits them to Washington for approval here.

The CHAIRMAN. Then what is to be gained by having them in the field?

Commissioner VALENTINE. Well, the field is the only place that the precise facts can be procured.

The CHAIRMAN. Could not the people who have this business, or whatever classes of business it might be, come to the Union Agency and have the transactions there?

Commissioner VALENTINE. I think it would be involving a great deal of expense, and, as a matter of fact, I doubt if they would go.

The CHAIRMAN. Suppose you have, as proposed in this amendment, divided up that agency and have one in each one of these nations separately, would that not bring them nearer the authority to act.

Commissioner VALENTINE. It would bring them somewhat nearer, but I am very heartily in sympathy with the general policy outlined

in Mr. Davenport's remarks. I think the way to cut the expense and increase the efficiency is to reduce the amount of routine work on the top and strengthen it at the bottom. I hesitate to assume credit for anything, but it has at least been welcomed by the Indian Office from whatever other quarter a suggestion may have come, that the way to strengthen the whole Indian business is to make the people who are nearest the Indians most efficient and to cut to a minimum the number of checkings and reports on top of that consistent with the proper check that must be given.

The CHAIRMAN. How much are these agents paid?

Commissioner VALENTINE. \$1,800.

The CHAIRMAN. And what is the full amount, \$16,000?

Commissioner VALENTINE. \$16,000.

The CHAIRMAN. How long have they been employed?

Commissioner VALENTINE. They were engaged on May 27, 1908.

The CHAIRMAN. How are they selected—from citizens of Oklahoma?

Commissioner VALENTINE. My understanding is they are required to be citizens of Oklahoma.

Mr. DAVENPORT. The act carries a provision that they shall be selected from citizens of Oklahoma.

The CHAIRMAN. How does that term apply?

Commissioner VALENTINE. I do not know the laws of Oklahoma as to citizenship and residence.

The CHAIRMAN. It does not prohibit the Indians from holding these offices, does it?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. Do you consider these agents necessary to the work, or can you substitute a division of the agencies as suggested, say, by dividing up the Union Agency and creating other agencies?

Commissioner VALENTINE. I had not had in contemplation any dividing up of these agencies, doing away with the agents. I think such improvements as are to be made could well be made in connection with the lines of the bill through the district agents. Speaking for this particular section of the country alone I would a great deal rather that all passing on the reports of district agents be cut out of my office and I be eliminated from the thing than to lose the district agents.

The CHAIRMAN. From your argument, then, you would rather dispense with the Muskogee department—Mr. Kelsey's department—and let the records come down to you from the district agents?

Commissioner VALENTINE. Yes, sir; and again I should say if dispensing with one or the other is necessary, rather than lose the district agents I should prefer that that part of Mr. Kelsey's office which is concerned with their affairs, or that part of my office concerned with their affairs, or both, be dispensed with, and to do what Mr. Davenport suggested, and it is just simply to avoid delay in every possible way.

The CHAIRMAN. Would you be caused any trouble and expense and delay in bringing up the records that you have down there in the Union Agency and in J. George Wright's division, and bringing them to the Union Agency and giving them the authority now held by Mr. Wright?

Commissioner VALENTINE. I do not think that segregation could be practicably made along the line of district agents. It has been looked into very carefully by us, and it has been found that it could be made with regard to the divisions that I spoke of. These affairs of the Cherokees and Creeks are so different from the Choctaws and Chickasaws and the Seminoles that there would be no difficulty in separating those five.

The CHAIRMAN. Then why not have two—why not substitute the Union Agency or substitute J. George Wright, commissioner? As I understand it, he is the logical successor of the present Dawes Commission.

Commissioner VALENTINE. The present system is this. This district agent reports to the Union Agency, the Union agent approves it for the Five Civilized Tribes; then it comes to our office. Another sort of an approval takes place there; then it goes to the office of the Secretary of the Interior for action.

The CHAIRMAN. Then, in your view, there is no way to prevent duplication of this work? It goes from the district agent to the Union Agency, from there to your department, and from your department to the Secretary of the Interior.

Commissioner VALENTINE. I think some of that machinery could be cut out.

The CHAIRMAN. Well, which would you cut out?

Commissioner VALENTINE. I think you could cut out all of it and confine it to the Union Agency.

The CHAIRMAN. I think so, too.

Mr. BURKE. Mr. Commissioner, there has been transmitted to Congress, I believe, in compliance with the provisions of section 10 of the Indian appropriation act of April 4, 1910, a statement by tribes and funds, of all moneys appropriated by Congress since July 1, 1875, required by law to be reimbursed to the United States from Indian tribal funds, held in trust or otherwise, and showing the extent to which such reimbursement has been accomplished, and the balances of tribal funds on the books of the Treasury, as of October 31, 1910, which may be available for reimbursement if so applied under the provisions of section 1 of the act of April 4, 1910. Am I correct about that?

Commissioner VALENTINE. Yes, sir. This information is contained in House Document No. 1167, Sixty-first Congress, third session. I also have another document here on the fiscal affairs of Indian tribes, which contains some of the classes of information about which Mr. Ferris was inquiring; House Document No. 208, Sixty-second Congress, second session.

Mr. BURKE. What does that specifically refer to?

Commissioner VALENTINE. This gives the title of trust and other tribal funds and shows the balance to the credit of each tribe on June 30, 1911, how and when that fund was created, and the disbursement for the year 1911 under various headings, and the receipts during that year.

Mr. BURKE. How many Indian allottees are there still in the Five Civilized Tribes within what are known as the restricted class?

Commissioner VALENTINE. Approximately 36,000.

**Mr. BURKE.** Give us just a brief statement as to what the duties of these district agents are with reference to the Indians.

**Commissioner VALENTINE.** Generally, they cover pretty nearly everything. They are, in a certain way, like the local superintendents in other parts of the country; specifically, they deal with probate conditions, the sale of land, handling of leases, etc.

**Mr. BURKE.** Do they come in contact with the probate courts in looking after the interests of minors?

**Commissioner VALENTINE.** Yes, sir; very much so.

**Mr. BURKE.** Is there any opposition that has come to the notice of the office—to these district agents on the part of any of these probate courts?

**Commissioner VALENTINE.** I think there have been one or two cases; particularly some time ago the probate court did not wholly welcome the service of these district agents, but I have here letters from county judges and other officers of the State of Oklahoma with reference to cooperation and the need therefor between officers of the Indian service, particularly the district agents, and the State authorities, which show in a very interesting way the present attitude of the judges. These letters include letters from 40 probate judges in 40 counties and from the Five Tribes. In addition to that there are letters here from several district judges, the general attorney of the department of charities and corrections, the speaker of the Oklahoma House of Representatives, and others, besides letters from the principal chief and tribal attorneys; all show most specifically and concretely the great desirability of the district agents.

**Mr. BURKE.** I will call attention to the report which you have submitted, being the "justification of estimates for the appropriation," made by Mr. Kelsey, and would ask you if, from the information you have received, and these letters which you have mentioned, you think this report states substantially what the conditions are and the necessity for continuing these district agents?

**Commissioner VALENTINE.** I think so, sir.

**Mr. BURKE.** I will ask you if, in the second session of the last Congress, in reducing the appropriation for the administration of the Five Civilized Tribes, whether or not we increased the appropriation for the district agents?

**Commissioner VALENTINE.** My recollection is that it was increased \$10,000.

**Mr. BURKE.** While we decreased the other appropriation, we increased that for the district agents?

**Commissioner VALENTINE.** Yes, sir.

**Mr. FERRIS.** Those agents of the Indian Territory part of the State have no final power to make even a lease, have they, Mr. Commissioner?

**Commissioner VALENTINE.** No, sir.

**Mr. FERRIS.** They have no power then to remove restrictions, have they?

**Commissioner VALENTINE.** No, sir.

**Mr. FERRIS.** They have nothing to do with the rights of possession or the bringing of any suit?

**Commissioner VALENTINE.** Only to the extent of furnishing information; in that sense I understand they can.

**Mr. FERRIS.** They are not attorneys, are they?



Commissioner VALENTINE. Not in order to hold office; some of them may be lawyers.

Mr. FERRIS. It is not a requirement?

Commissioner VALENTINE. It is not a requirement.

Mr. FERRIS. It is not universal, is it?

Commissioner VALENTINE. No, sir; I think not.

Mr. FERRIS. The Indians of the Five Civilized Tribes, from the standpoint of intelligence, are further advanced and superior to any other tribe of Indians of the United States, are they not?

Commissioner VALENTINE. I could not say yes to that particular statement.

Mr. FERRIS. What would you say to that?

Commissioner VALENTINE. Very many of them are, of course. Others are fully as backward as some of our more backward tribes.

Mr. FERRIS. That is a very large minority, is it not?

Commissioner VALENTINE. I think it would be safe to say there are, perhaps, 20,000 Indians, more or less full blood, in Oklahoma who are pretty much on a level with tribes in other parts of the country.

Mr. FERRIS. Twenty thousand out of a total enrollment of 101,000?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. You have been down through the State?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. A number of times, have you?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. If I told you that six counties and two fractional parts of counties of my district were in the Chickasaw Nation and that I had been intimately acquainted with those people for 25 years and based upon that acquaintance it is my judgment that the Chickasaw Indians that live in the territory are fully, if not quite superior, in intelligence to the white citizens, what would you say?

Commissioner VALENTINE. I would first ask about the intelligence of the whites.

Mr. FERRIS. I would reply to that by saying the whites were of average intelligence.

Commissioner VALENTINE. In some other States Indians are superior to the white citizens, but it does not necessarily mean that the grade of white intelligence is particularly high.

Mr. FERRIS. To be entirely frank with the Commissioner of Indian Affairs, I would say that the school facilities have been better for the Indian citizens than for the white citizens, and most of the full-blood Indians live in the extreme eastern part of the Chickasaw Nation, and I do want to emphatically assert that the leading citizens of those counties are Indian allottees engaged in banking.

Commissioner VALENTINE. Of course, supervision of any kind for people of that sort is arrant nonsense.

The CHAIRMAN. Is it not your experience that the reason for the lack of education among the white people is because of the fact that they have not had a school system until the last few years, owing to the State being so recently organized?

Mr. FERRIS. That is it; but I want to ask the Commissioner one more question: I notice from the list you handed me that you have a special agent at Chickasha and one at Fall Valley. I wondered if at least those two were superfluous?

Commissioner VALENTINE. I would like to see if I have any letters from people in that particular neighborhood. There are a good many allotments in that district, are there not, of full-blood Indians who do not reside there, but live in other sections?

Mr. FERRIS. Some; yes.

The CHAIRMAN. You do not know what conditions those letters were written under, do you, Mr. Commissioner?

Commissioner VALENTINE. They were written, I think, at the request of Mr. Kelsey, who has met all the different people who come into relation with the work of the district agent.

The CHAIRMAN. You think not at the request of the agents themselves?

Commissioner VALENTINE. I am very certain that there was an absolutely honest attempt on the part of Mr. Kelsey to get the information.

The CHAIRMAN. Did you authorize Mr. Kelsey to send for this information to make out this case?

Commissioner VALENTINE. No. He simply wrote me he had in his files a lot of letters from people who had come in touch with this work, and I asked him to send them here for the use of this committee.

The CHAIRMAN. It is true he has gone about the matter in a very systematic way, and secured these indorsements.

Commissioner VALENTINE. I understand Mr. Carter has also sent out information from county judges.

The CHAIRMAN. Mr. Carter, of Oklahoma?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. Do you know what the result of his inquiry was?

Commissioner VALENTINE. No, sir.

The CHAIRMAN. You used to have five agents on the western side of Oklahoma?

Commissioner VALENTINE. We had three; we never had five.

The CHAIRMAN. I believe that is correct. They were discontinued, I believe?

Commissioner VALENTINE. They were discontinued out of this appropriation, and, I think, discontinued wholly.

The CHAIRMAN. They are, as a matter of fact. Are not the Indians of western Oklahoma very much inferior to those of the Five Civilized Tribes, so far as their education is concerned?

Commissioner VALENTINE. I think that is correct.

The CHAIRMAN. You do not have special agents at any other place in the United States than in the Five Civilized Tribes, do you, Mr. Commissioner?

Commissioner VALENTINE. No, sir; the conditions are peculiar.

The CHAIRMAN. Why do you single out the Five Civilized Tribes of Oklahoma, who own their own property, and who have the highest degree of intelligence of any Indian tribes in the United States, and say that there shall be 16 special agents there and not have them anywhere else in the United States?

Commissioner VALENTINE. It looks on the surface as if we were singling them out. As a matter of fact, about 20,000 of the members of the Five Civilized Tribes are about on the same grade as to the things they need with the majority of Indians elsewhere in the country.

The CHAIRMAN. That is, 20,000 out of a total of 101,000?

Commissioner VALENTINE. Yes, sir; it is 20,000 out of 36,000 still restricted, and I think that the Comanche and Apache Indians are rather below the average intelligence throughout the country, so that we feel that the agents are needed there.

The thing that struck me when I went to Oklahoma the first time and went through the several full-blood districts of the Chickasaw Nation, the thing that struck me was that it was an absolute crime that the Government has spent years of time and a tremendous amount of money in what might be called overhead administration, and those Indians in the full-blood district of the Chickasaw Nation had had less done for them in the way of schools. There had never been a person among them to teach them gardening. In other words, these 20,000 or so Indians throughout the tribes had been absolutely neglected.

The CHAIRMAN. Right there, granted that what you say is true, that there are 20,000 that rank with all other Indians in the United States from the standpoint of lack of education—

Commissioner VALENTINE. The Five Civilized Tribes; it does not apply to them at all.

The CHAIRMAN. I understand. Is there any other tribe of Indians in the United States that has such a per cent of intelligence among them as the Five Civilized Tribes? Have you 101,000 Indians in any other State in the Union where 80 per cent of them are intelligent and 20 per cent only are backward?

Commissioner VALENTINE. That is probably the largest proportion.

The CHAIRMAN. I think that is true.

Commissioner VALENTINE. We have a good many Indians in Oregon. There is a large percentage, but not as high as that.

Mr. FERRIS. These agents were established in 1908, ostensibly because of the fact that the restriction bill had passed, and that our State organization was not as perfect as it might be. Was that not the theory at that time?

Commissioner VALENTINE. That was about the theory.

Mr. FERRIS. Now that the State has grown in population until it has more than five or six of the Western States combined and school houses and county organizations thoroughly formed from A to Z, do you not feel you could withdraw these 16 agents and let the courts of Oklahoma run their business the same as other courts?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. And do you not feel it would be an economy of \$100,000 for the Federal Government to do that?

Commissioner VALENTINE. No, sir; I can not frankly believe that.

Mr. BURKE. Mr. Commissioner, what is the effect of intelligence among Indian tribes, where there is a high degree of intelligence, on those that are real Indians, that have had no advantages, as to whether or not they need the protecting hand of the Government. Is it less or greater, in your opinion?

Commissioner VALENTINE. I think, on the whole, it is rather greater.

Mr. BURKE. In other words, the more intelligent will, following the natural law, get the best of the nonprogressive Indian. Is that not the case?

Commissioner VALENTINE. I would like to qualify that to this extent, that I think that I have a tremendous respect for basic Indian character, but I do find it to be the fact that where there is a distinctly better educated class of Indians and a distinctly better educated class of white people, the tendency is increased, rather than diminished; that is, altruism has not developed in the Indian character to the extent it might.

Mr. BURKE. A higher intelligence prevails among the mixed bloods mostly, does it not?

Commissioner VALENTINE. As a rule.

Mr. BURKE. And is there not a universal complaint coming from the old Indian, the full blood, on the reservations, generally protesting against the fact that the mixed bloods are taking advantage of them?

Commissioner VALENTINE. Taking the country at large, there is really more complaint against the mixed bloods than against the whites.

Mr. BURKE. I am talking entirely about Indians. These district agents in many respects are similar to the Indian agents that you have generally at reservations?

Commissioner VALENTINE. They correspond exactly to the five special agents at the Pine Ridge Agency.

Mr. BURKE. And it is your theory that the 100,000 Indians residing in 40 counties could not be looked after properly from one agency, as was done before you appointed these district agents?

Commissioner VALENTINE. I am very strongly of that opinion.

Mr. BURKE. What, in your opinion, would have been the effect had these 16 agents or some others, as you have them organized at present in the Five Civilized Tribes, at the beginning of the administration of the Dawes' Commission?

Commissioner VALENTINE. I think the term Five Civilized Tribes could be applied to 100 per cent instead of 80 per cent.

Mr. CARTER. The judge of Carter County writes me that he had previously written a letter of recommendation to Mr. Kelsey for the district agent stationed at Ardmore.

Mr. BURKE. Does he make a statement in that letter that he does not think the district agents ought to be continued?

Mr. CARTER. That, in substance, is his statement.

I sent out a letter of inquiry to each of the county judges, county attorneys, and newspaper editors in the fourth district, but have had few replies as yet.

The CHAIRMAN. We will now hear from Mr. Davenport.

**STATEMENT OF HON. JAMES S. DAVENPORT, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF OKLAHOMA.**

Mr. DAVENPORT. Mr. Chairman and gentlemen of the committee, I first want to address myself to the amendment that was suggested by the commissioner this morning with reference to that part of the appropriation where it is suggested that there be an amount appropriated for the purpose of defraying the expenses—I am speaking of the sale of the surplus lands and unallotted lands of the Five Civilized Tribes—giving the Secretary the power to pay that expense out of the proceeds of the sale. That was discussed at some length this morning by the different members of the committee and the com-

missioner, and you will find that in order to carry that provision, although it had been carried often in appropriation bills, that there is not anything on the statute books of which I have knowledge that authorizes that to be done. It had, prior to the Sixtieth Congress, been carried in the Indian appropriation bill. I did not catch it until after it had been reported on the floor of the House, and there I raised the question and it went out of the bill, and I thought it had remained out.

My contention is that whenever you incorporate that in there you are enacting not only new legislation, but legislation that is either prohibited by the treaties or not provided for by the treaties. One or the other must exist before you would have power to use the funds of the tribes in the settling of their affairs. I want to urge upon the committee that they study that matter thoroughly and not incorporate that provision in there. If it becomes necessary to expend that amount of money from the proceeds from the sale of surplus lands, then I say to you that the government of each of the Five Civilized Tribes is as competent as anybody you can designate to do that, and can do it for much less money, and get as large a price as any party you can designate. I say that without any intention to reflect upon any public officer who has handled the affairs of the tribes since 1910. My object is this: Knowing those people as I have since 1890 and being familiar with the tribes, especially with the Cherokees, Creeks, and the Seminoles, I say that it would be unjust to those tribes or the other two tribes comprising the Five Civilized Tribes, to take a portion of the proceeds of their funds to pay expenses and winding up of their affairs. I do not think that at this late day the Government should insist that we should take from the funds of those tribes a sufficient amount to pay the salaries and expenses incurred in making these sales. That is about all I desire to present upon that question, because I only desired to call the committee's attention to the fact and ask you to carefully study these treaties, and also call your attention to the fact that some of these affairs have already been wound up free of cost, without any expense taken from the tribal funds. There has been incorporated in the Indian appropriation bill a provision of that kind, where the money has been used. There was a provision with reference to the town lots in the Five Civilized Tribes incorporated, and the money was used and, because it was a peculiar condition, the legislation, if contemplated, could not have been contemplated at the time the original treaties were made.

Now, I want to pass from that to the Indian agency question, and I want to take this position, and that is, unless more power is given to the district Indian agent in the Cherokee, Creek, and Seminole tribes, their labors are a detriment to those tribes instead of a benefit. If the restricted Indian has to continue to make application to the district agent for the removal of his restrictions and show his competency, and then has to run the gantlet of the superintendent, and then come on to the commissioner's office and to the Secretary's office, it requires too great a length of time, and therefore is a detriment to the Indian. There is a class of Indians in Oklahoma that need some supervision. There is a large class of the restricted Indians in the Five Civilized Tribes that should be unrestricted, and I do not think the department would disagree with me now because I take the position that the half-blood Indian in the Five Civilized

Tribes, or the three-quarter-blood Indian, as a class, is as intelligent, according to population, as the citizenship of any State in the Union to-day, and that, from the standpoint of education, the half-blood and the three-quarter-blood Indian, and those of a lesser degree of blood in the Five Civilized Tribes, a greater per cent of them have a high-school education than the same per cent in any State of the Union, according to population. If we could confine this only to the Indians that needed that protection there would not be 10,000 Indians in the Five Civilized Tribes that would need any agents. Of about, in round numbers, 24,000 in the Cherokee Nation, a little more than 6,000 of those are full blood, and some of those full bloods are competent to manage their affairs.

There is another feature that I object to in the district agency, unless more power can be granted, and that is that they oftentimes recommend the removal of restrictions with limitations—that is, they recommend the removal of the restrictions, but that the agency retain the money. My position is that you do harm to an Indian to remove his restrictions and the Government keep his money, and for this reason I want to emphasize that. Whenever you remove the restriction, and the agency holds the Indian's money, and the Indian lives some 25 or 30 miles in the country, he loses three days every month—one day coming, one day getting permission to get a check, and then he loses a day getting home—and he will get on an average \$15 at a time each month, and the result is he is coming back and forth to try to get some of the money, and he loses more time than he receives benefit.

There is another question that I want to be understood, and that is that the district agents, whether approved by the department or not in regard to the purchase of supplies. Instead of letting the Indian go out and agree upon a wagon or upon a cookstove, and going to see whether the price is right, they are proceeding to buy the wagon or the cookstove for the Indian. They are proceeding to go to this store or that store to exercise the right of spending the Indian's money for him, a condition which I do not believe is right. In a country where the people are all United States citizens, though they may be inferior, they have a right to exercise that right, and I do not believe it is right to tie them down. I have no objection, when they go to make a trade, that the agent may see and determine whether or not it is satisfactory and whether or not they are wasting their money, but I do object to the agent compelling them to buy from Bill Smith or somebody else.

Mr. BURKE. Do you allow your children to make purchases of clothing and other necessities as they may see fit, and you furnish them the money to purchase?

Mr. DAVENPORT. Unfortunately, I have not any children that are of age—

Mr. BURKE. These people you are speaking of are restricted Indians, are they not?

Mr. DAVENPORT. Yes; but I do not think the gentleman will contend that the paternal relation exists to that extent; that the power—

Mr. BURKE. All right; I will put it in this form: You are the guardian of a minor child. What would you do in that case with

reference to the purchase of clothing and other necessities for the child's need?

Mr. DAVENPORT. I would say, as I have often done, that he should select what he wants to wear, and I would present a claim to the court, and let the court pass upon it, and then pay it.

Mr. BURKE. That is what the district agents do, do they not?

Mr. DAVENPORT. I must take issue with the gentleman from South Dakota, because I know that frequently the agents do not do that.

The CHAIRMAN. Do you know of their exercising any favoritism in regard to terms?

Mr. DAVENPORT. I, personally, do not know that. I am speaking of the position of the Indian in spending his money and of the necessity of his coming back and forth to get these dribblets of monthly installments. I say the restrictions should not be removed unless the Indian gets the money, if he is 21 years old, or 18 years old if it is a girl; and I say the department should render yearly to that Indian, so that his neighbors may know exactly what amount of money has been expended from his estate and for what purpose, and if he is going to get his kitchen utensils, as suggested by the member of the committee from South Dakota—and that is what I tried to get—how many acres of land had been sold, and the amount of money that had been paid the Indian and what bank the money was deposited in, what rate of interest it was drawing, whether it was in the local banks in the State of Oklahoma, National or State, or whether they bank outside the State; and the reply was that it would take all the force of the office to do that.

The CHAIRMAN. Did you ask in relation to one particular Indian?

Mr. DAVENPORT. I asked in relation to the Indians of the Cherokee, Creek, and Seminole Indians.

I think \$100,000 is too much for those agencies, with the power they have at present. I only make that suggestion in passing, because there is no necessity of spending that amount of money.

The CHAIRMAN. You favor the retention of the agencies?

Mr. DAVENPORT. No, sir; I say they are a detriment, with the power they have now. There is no benefit. In some instances they may be a benefit, but as a general proposition there is no benefit. It is just as much trouble as if the local agent was not there at all. It is not a one-sided proposition down there; you will find fellows that favor retaining them and others who favor disposing of them. You can go out there and get letters one way or the other. When I wired the county judges in the third congressional district and asked them whether or not the agencies had been any benefit and whether they recommended their being retained, and so far I have received Mr. Knight's reply, and I suppose the others are going to write.

The CHAIRMAN. Will you furnish the replies to us?

Mr. DAVENPORT. Yes.

Commissioner VALENTINE. Might I make this suggestion: Mr. Davenport's reference to Mr. Knight's letter, as to whether when a county judge writes a letter on one side and sends a telegram on the other, if it is not a reason for the district agent to keep right on?

Mr. DAVENPORT. I suppose there are 50 full-blood Indians in that district.

Mr. FERRIS. That is the best thing that has been offered yet for the special agent.

Mr. DAVENPORT. I think myself that any man who will write—whether he knows what he writes will ever be seen or not—a letter such as that which has been written by the county judge was read and wires another way to me—I think that judge is not a very competent judge to pass upon any man. I would say in regard to him that he has acted unwisely.

Mr. BURKE. Mr. Davenport, your principal objection, as I understand, to the district agents is that you are against them unless they are given greater power than the power they have now?

Mr. DAVENPORT. Unless they are given greater power to pass upon the applications for restriction, then I am against the proposition which removes the restrictions where the money is retained in the agency and where the Indian has to come back and forth. When you collect money \$5 and \$10 at a time it goes in a way that does you very little good as compared with getting money in a lump sum. The Indians in the Cherokee and Creek and Seminole Nations do not spend their money any more recklessly than anybody else.

**STATEMENT OF HON. SCOTT FERRIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OKLAHOMA.**

Mr. FERRIS. Personally I am opposed to the retention of the 16 Indian agents in the Five Civilized Tribes, part of the State of Oklahoma, for the following reasons:

First, because it costs the Federal Treasury \$100,000, which is not reimbursed. Second, because of the 101,000 allottees of the Five Civilized Tribes, it is admitted here by the Commissioner of Indian Affairs, and it is my belief, that it is true that a higher degree of intelligence prevails among those Indians than any other tribe in the United States. Third, because these agents are not maintained in any other tribe or State in the United States. Fourth, our State has been admitted five years, is fully organized, fully equipped with courts, officers, township, county, and State government. Fifth, because the Indian enjoys full fellowship with the white citizens of our State, holding and enjoying the highest office that the State affords to the humblest. Sixth, it is my belief that a great majority—and I would estimate 75 per cent at least—of the Indians themselves, if consulted about the matter, would ask and pray for the discontinuance of the agents. Seventh, I am personally opposed to having this interference on their part with our State courts. Eighth, I believe our State courts are as competent as any other courts of any other State in the Union, and I do not believe need more supervision than in any other State. Ninth, it is my belief that such minute supervision as is imposed by the appointment and maintenance of these agents render the Indians dependent, not self-reliant, and robs him of the desire to be a full, free, and independent citizen. Tenth, these 16 agents have no final jurisdiction to do any one thing. Any act undertaken by them is merely passed along to the Commissioner of the Five Civilized Tribes at Muskogee, by him passed to Mr. Kelsey, and by him passes to the Commissioner of Indian Affairs, and by him passes to the Secretary of the Interior, which creates a lot of delay and red tape which really makes the relief sought to be accomplished abortive of the very purpose it intends.



**STATEMENT OF THE HON. CHARLES D. CARTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OKLAHOMA.**

Mr. CARTER. I have several amendments which I would like to have incorporated in this bill. Some of them are subject to a point of order and can, of course, only be put through by unanimous consent. They are very meritorious measures, however, and I hope I may be able to persuade this subcommittee to include these amendments in its report to the whole committee. These amendments will be offered as I proceed with my remarks, which will be very brief.

I feel obliged to oppose any item for the payment of these salaries from the funds of the Five Civilized Tribes, with the exception of those provided by treaty. The treaty of June 28, 1898, did not provide that any expenses should be incurred by the Indians whatever. It specifically set forth that all the town-site property should be disposed of and the rolls of the tribe made up without any expense whatever to the tribe. No declaration was made as to how other expenses should be paid, but it was generally understood by all our people (and I myself so understood it) that all expenses of the settlement of our estate should be paid by the Federal Government. The agreement of July 1, 1902, was silent on the subject of expenses except that it provided for the payment of the citizenship court and the coal and asphalt commissioners by the Federal Government. It also provided for the payment of the expenses and costs of the suits on behalf of the Chickasaw freedmen out of the Federal Treasury. So, as usual, as the time for the payment of these expenses approached the likelihood of the Indian having to foot the bills increased. No one, of course, will dispute the fact that Congress has the legal right, under recent Supreme Court decisions, to do as it pleases with Indian property, but in justice to your wards, Mr. Chairman, I think the guardian should keep faith and pay these expenses out of the Federal Treasury.

With reference to the district agents, I will not attempt to dispute that they have done some good work. They were appointed under section 6 of the act of May 27, 1908, commonly known as the restrictions act, their duties being, as set forth in this act, to assist the restricted Indians in probate matters and removal of restrictions.

It will be remembered by some that there was quite a lot of contention, about the time of the appointment of these agents, as to the extent we should go in removing restrictions on the Five Civilized Tribes. The Choctaw and Chickasaw Indians had been allotted 320 acres each of agricultural land, and this act had, in the opinion of the Oklahoma delegation, made the incompetent members of those tribes land poor. They had more land than they could manage successfully. It was not thought safe by the department to remove the restrictions on the incompetent class without some kind of protection, so the principal function the district agents were expected to perform was to bring about the sale of a portion of the allotment of these restricted Indians and to build permanent homes on that part unsold and still restricted. It was thought that in this way a great amount of land would soon become subject to taxation and the incompetent Indians would all soon be furnished adequate homes. Now, in the performance of this last duty the district agents have

been a miserable failure. They have removed practically no restrictions, and when they do, it takes from 6 to 18 months to get action. The consequence is that the Indians themselves have become discouraged and are daily appealing to me through the mails to have something done to facilitate these matters or do away with the district agents.

Since I came to Congress it has not been my privilege to be able to spend very much time in my home State, therefore my information as to the accomplishment of these agents in probate matters only comes second hand. I have in mind one dead claim case which slumbered in the office of a district agent 10 months after which the application was made, and was finally rooted out of that office upon my earnest importunities to the Secretary of the Interior concerning the matter.

Another reason for my opposition to these agents is that our State is as fully prepared to take care of these matters as the average State of this Union. Our people naturally resent any officious meddling with our courts.

This district-agent proposition may look fine in theory, but it has worked very little practical advantage to the Indian. If they had stuck to the task laid out for them, their efforts might have been more availing, but the difficulty is a great part of their activity has been directed toward efforts not laid down in the printed rules and regulations of the Interior Department.

The Five Civilized Tribes are conceded to have reached the highest degree of civilization of any considerable number of North American Indians on this continent. Then why should it be necessary to single them out and have every little trifling act of theirs supervised in this paternalistic manner when it is not done with other tribes not so far advanced in civilization?

These agents have conducted themselves in such a way that their efforts are naturally resented by the good people of our State, and there is a very strong feeling against them throughout the district I have the honor to represent. There was, of course, considerable antipathy to them to begin with, but this kick came mostly from the grafters. Now, there has been a lot of loose talk about grafters in Oklahoma, but the grafter is as well defined there as he is any place. We have no trouble in distinguishing him, and we know the earmarks of his propositions. So long as this talk was confined to this class of fellows it went in one ear and came out the other, but now this antipathy extends to some of the very best people in that country. One of the judges of our supreme court is, I am told, making the strongest opposition to them, and states that he is opposed to anyone who is for them. Whether that is true or not I do not know, but it came to me through a very responsible person. When men of this high caliber make such assertions as this, then I think it is time for us to consider seriously before we spend \$100,000 every year intruding such officials as this into a jurisdiction where they are *persona non grata*.

Mr. BURKE. Is it not within the jurisdiction and power of the county judges to absolutely ignore them?

Mr. CARTER. Yes, sir; it is. They have no right to interfere with the courts at all, unless the courts will permit it.

The CHAIRMAN. If you have absolute power in the courts, why is it necessary to have some one else to assist in getting up the evidence?

Mr. CARTER. There is not a thing they can do officially. They can only recommend. They probably take some work and responsibility off the probate judges, and that may account for the judges enduring them.

The CHAIRMAN. You heard Mr. Davenport's statement that he wanted them to have more authority to look into these matters. You take the opposite view?

Mr. CARTER. Well, if they should be retained I certainly think they should be given more power in the removal of restrictions. They should have the right to do something if all this money is to be spent on them.

Commissioner VALENTINE. I am doubtful as to whether the removal of the district agent would not hinder rather than help in the removal of restrictions, because in the past year over a quarter of a million acres have been made taxable by the removal of restrictions.

Mr. CARTER. That would be a very small percentage of the restricted land.

Commissioner VALENTINE. A very small percentage, but still a substantial area to put under tax in one year and a fairly substantial percentage of the restricted land when you consider the valueless areas made taxable by the blanket removal of restrictions.

Mr. CARTER. But, Mr. Commissioner, your district agents interfere with the dispatch of business. They are just another channel through which an application must run before any final action is had; and while they have no right or authority, it can not be denied that they have attempted to interfere with our courts, and every man is ruled more or less by his environment and public opinion. Because these agents know the power of inquisition, I think they sometimes go beyond the limits of decency.

Mr. BURKE. Can you give any reason why an honest court should object to somebody appearing in an estate where there are minor children interested?

Mr. CARTER. I think an honest court would not fear if the person only went far enough to discharge the duties you describe.

Mr. FERRIS. That does not commit you to the necessity of it?

Mr. CARTER. Oh, no; I think a court would favor that if they went only that far. I am not conceding there is the urgent necessity for the district agents that has been claimed. It is not necessary for other Indians who are much less progressive and of a much lower type of civilization than our Indians, and I can not see the reason for this insidious distinction.

I am very glad to agree with the commissioner's recommendation that the Choctaw and Chickasaw part of the Indian offices in Oklahoma be moved to McAlester, and especially is this true since, as the commissioner says, he can save \$24,000 per annum by this division.

Commissioner VALENTINE. May I interject? I think there is a little misapprehension both in your mind and the minds of some other members of the committee in regard to there being nothing like this anywhere else in the country. I have already stated that at

Pine Ridge, where there are about 7,000 Indians, we have four or five subagents, who are exactly like the district agents, with a fewer number of Indians. Each of the 16 district agents in the Five Civilized Tribes has over 2,000 restricted Indians under his jurisdiction, so that, comparing it on what seems to me a fair basis of superintendents plus Indians, they will get more superintendencies in the Five Civilized Tribes to fewer restricted Indians than anywhere else.

Mr. FERRIS. You do not have such another agency in the United States as the Muskogee Agency?

Commissioner VALENTINE. Oh, no.

Mr. CARTER. This is not the policy generally adopted toward Indians?

Commissioner VALENTINE. It seems to me it is precisely the policy.

Mr. CARTER. You say you have it only in one or two other places?

Commissioner VALENTINE. Those were only cited as examples.

Mr. CARTER. Then you have other district agents?

Commissioner VALENTINE. We have people whose duty it is to do precisely these things or whatever is necessary to safeguard the Indians who are not competent.

Mr. CARTER. You have not them in any such quantity and at no such expense?

Commissioner VALENTINE. Yes, sir; we have them at more quantity and fully as much expense.

Mr. CARTER. Here you have 20,000 Indians restricted?

Commissioner VALENTINE. Thirty thousand. I was very conservative when I said 20,000. I do not want it any more than you do; I think it is a social crime to supervise a man who is able to take care of himself.

Mr. CARTER. I think it is one of the greatest harms that the district agent does.

Commissioner VALENTINE. I think that ought to be discontinued, if the district agent does that, but I think that, man for man, in relation to the superintendent there is still to-day less supervision in the Five Civilized Tribes than there is in other parts of the country under our organization.

Mr. CARTER. If you have only 30,000?

Commissioner VALENTINE. Thirty-six thousand.

Mr. CARTER. Thirty-six thousand, then. At that you are spending a very large per capita for that number and, in addition, you use a large amount from the tribal funds?

Commissioner VALENTINE. Yes; and I think that amount should be materially reduced; I would chop it out completely.

Mr. BURKE. A large part of that expended is spent for looking after matters that concern the Indians where the restrictions already have been removed. Is not the principal thing those Indians have the collection of moneys and the payment of the division of those moneys, and the sales of their lands, and that is, perhaps, to be provided for by the commissioner out of their own funds.

The hearing disclosed here that the Indian agent, Mr. Kelsey, handles over \$3,000,000.

Mr. CARTER. Yes, sir.

Mr. BURKE. That is a large sum of money.

Mr. CARTER. My point is that a great amount is used from the tribal funds, not included in this estimate.

Mr. BURKE. How much?

Mr. CARTER. The commissioner wants this amount for the sale of the unallotted lands, and I am sure he will find that the expenses of per capita payments are paid from the tribal funds. I can not enumerate all, but a considerable portion of the expenses of administration of their affairs is taken from the tribes' own funds.

Commissioner VALENTINE. These two items in the bill are not reimbursable.

The expenses of administration are estimated at \$174,000.

Mr. CARTER. Certainly; that comes out of the Federal Treasury. But other funds are being taken out of the tribal funds for the management of their affairs without any accounting to Congress, and that is what I wanted Mr. Burke to understand.

Commissioner VALENTINE. I think the thing to do would be to divide those officers.

Mr. BURKE. Just a moment. Read section 17, and state if, in your opinion, the Interior Department has authority to provide for as many more as you see fit.

Commissioner VALENTINE. I do not understand.

Mr. BURKE. As to whether, if any further legislation is necessary in regard to administration, if it is desirable to divide them into three or as many others as they see fit.

Commissioner VALENTINE. I think it should be divided any way you want.

Mr. BURKE. Then, it is necessary for us, by this bill, to undertake—

Commissioner VALENTINE. Not unless you want to direct it. If you thought it would save \$24,000, upon that ground I think you might be justified.

Mr. BURKE. If we take away \$24,000 and they had to divide the administration, they would probably divide \$12,000 in order to get along.

Commissioner VALENTINE. I should think so.

The CHAIRMAN. Mr. Carter, I see another item here that has been suggested, and that is at the end of section 17.

Mr. CARTER. Another reason why this division is advisable is that the Choctaw and Chickasaw affairs are practically the only affairs left. The other affairs outside of these tribes have mostly been wound up, and the bulk of the work is in the Choctaw and Chickasaw Nations. Our people have to travel all the way to Muskogee, right through McAlester, and the work should be brought nearer to them.

The CHAIRMAN. With reference to the salary of Mr. Douglas H. Johnson, governor of the Chickasaw Nation, explain the necessity for that.

Mr. CARTER. Yes, Mr. Chairman. I propose the following amendment [reading]:

That the Secretary of the Interior is hereby authorized and directed to pay Douglas H. Johnston, governor of the Chickasaw Nation, out of any funds belonging to said nation, compensation for his services at the rate of \$3,000 per annum from March 1, 1910, so long as he shall serve as governor: *Provided*, That no payment shall be made from the tribal funds after June 30, 1912, without specific appropriation by Congress.

This proviso is added because, as I have just stated in my remarks, under present conditions Congress has no check whatever on the use of the funds of the Five Civilized Tribes by the Secretary of the Interior. The act of April 26, 1906, turns these funds over to the Secretary to be used in his discretion without any further appropriation by Congress, and I am opposed to any such method of handling trust funds. This loose manner of administering their funds has caused considerable dissatisfaction among the Indians of the Five Civilized Tribes. They have no way of knowing even what expenditures have been made. They get no reports, and I can see no reason why money which is handled in a fiduciary capacity should be handled differently from the funds of the Federal Government itself. If this amendment is adopted no future use will be made of these funds until it is authorized by an appropriation of Congress, just as is done with the funds of the Federal Government itself.

The CHAIRMAN. Read that proviso again.

Mr. CARTER (reading):

That no payment from the tribal funds shall be made after June 30, 1912, without specific appropriation by Congress.

Mr. FERRIS. Payments to whom?

Mr. CARTER. No payments to anyone from the tribal funds.

Commissioner VALENTINE. That is a complete reorganizing amendment.

Mr. CARTER. That is what it is intended to be.

Commissioner VALENTINE. Do you want to lose the schools? It would have that effect.

Mr. CARTER. It would not affect the schools any more than it would other Indian schools. It would simply mean that you would have to come to the Indian Committee for an appropriation for schools just as you do for other tribal schools.

I have some other amendments which I would like to submit for the consideration of the committee. This one has reference to the inherited estates. [Reading:]

Conveyances of inherited allotments by full-blood heirs made subsequent to May 27, 1908, in cases of allottees dying prior to May 27, 1908, shall have the same effect as if the allottee had died prior to May 27, 1908, and shall not require the approval of the Secretary of the Interior.

This amendment passed the House once but died in the Senate. In submitting it now I offer two decisions of the courts—one by the Supreme Court of the State of Oklahoma, and the other by the Federal court of the eastern judicial district of Oklahoma, both of which have held the present law to be just what this amendment states it to be, but, owing to a ruling of the Attorney General, the Interior Department still holds that the probate courts of Oklahoma do not have jurisdiction in the transfer of these estates.

The CHAIRMAN. Would that not be new legislation?

Mr. CARTER. Oh, yes; it would be subject to a point of order.

Commissioner VALENTINE. Are you not afraid that that would affect some sales?

Mr. CARTER. The thing I seek to do is simply to give the State courts the same jurisdiction in cases where the Indian died prior to May 27, 1908, as it has in cases of death since that date, and in those endeavors we have the Federal court and the supreme court of the State both on our side.

Commissioner VALENTINE. Admitting that, would not the effect be that a great deal of this land that had been bought would have any possible cloud on its title removed? We have a great many cases where the purchases have taken a little more out of their funds than they intended to at the start.

Mr. CARTER. I am sure it would not have the effect of clouding titles.

Commissioner VALENTINE. I just want to call that to your attention, and I know you would not want—

Mr. CARTER. I do not want the Indians to get the worst of it. This ruling by the Attorney General, even if it were correct, had the effect of depressing the price of land all over eastern Oklahoma—depressing the price and fixing it so that the land owned by the allottees has become almost worthless, so that it is next to impossible for the Indian to borrow money on land in Oklahoma, and such efforts as these have been the greatest detriment to the Indian himself.

I submit another amendment. [Reading:]

That any vendee defendant in the suits to set aside conveyances of allotted lands in the Five Civilized Tribes in the State of Oklahoma, other than purchasers of homesteads of living allottees, may pay to the Indian agents twice the value of lands sold him, according to the legal appraisal made by the Secretary of the Interior for the purpose of allotment, and thereupon his deed shall be held as approved and title passed, and the suit shall be dismissed as to such vendee: *Provided*, That credit shall be given for any payment heretofore made which can be established by competent evidence.

I think this committee understands pretty thoroughly what the effect of the suits and decisions have been in Oklahoma on the prices of land and the country generally; and when you hurt a country, you hurt the owners of the land first and worst, and the landowners are the Indians.

Mr. BURKE. What salary does the governor of the Choctaw Nation get?

Mr. CARTER. Two thousand dollars.

Mr. BURKE. What does this proposed amendment which has been suggested mean to pay the governor of the Choctaw Nation—\$3,000?

Mr. CARTER. The governor of the Choctaw Nation gets \$2,000, and has an expense account of \$3,200, for which he does not have to render any account. The Chickasaw governor originally drew \$1,500, but the Chickasaw Legislature passed an act raising the governor's salary to \$3,000. The succeeding August an election was held, Gov. Johnson was elected, and inaugurated in September. The bill came to the President, Mr. Roosevelt, and he disapproved it. The bill did not become a law.

The CHAIRMAN. When was that disapproved?

Mr. CARTER. 1902, I think. But since that time Gov. Johnson has been paid by Congress at the rate of \$3,000 a year up until March 1, 1910. This amendment seeks to give him the salary as long as he continues under the present law as governor.

The CHAIRMAN. I do not think you are quite correct; perhaps the commissioner can help us. We did provide for or authorize this salary to be paid for a short period of time, but I do not think we took it up as late as the time you say—as late as March, 1910.

Mr. CARTER. I am just speaking from memory. I think that is the date

The CHAIRMAN. One of the councils, if I remember, passed an act fixing his salary at \$3,000 a year, and I believe that was disapproved?

Mr. CARTER. Yes, sir.

The CHAIRMAN. Gov. Johnson refused to draw any salary?

The CHAIRMAN. We did authorize for a stated time that he should be permitted to draw \$3,000. That is, he has the same claim now that he had then. Has he not been serving with the understanding that the salary was to be only \$1,500?

Mr. CARTER. I do not know what was in his mind about it. He has told me he always thought Congress would pay him \$3,000.

The CHAIRMAN. Has he been actually serving?

Mr. CARTER. He has been the governor. Since the tribal council passed the bill, and we have precedent, I can see no outrageous impropriety in paying him.

The CHAIRMAN. My understanding is that your position is that the council ought not to pay out money, but that it ought to be done here?

Mr. CARTER. I think so.

The CHAIRMAN. In this instance the council did make the salary, and it was disapproved.

Mr. CARTER. They had authority to do it then, but they have not now.

Commissioner VALENTINE. The only thing that would throw any light on it is that the department has felt it had not any authority of law to pay Gov. Johnson his claim, and it now takes the position, I understand, that it would advocate, if the law were passed, a law which would pay him his back salary from March 1, 1910, paying him as long as the governor served at \$3,000 a year, but would not advocate paying back salary before that.

Mr. BURKE. That has been paid?

Commissioner VALENTINE. He has some other claims.

Mr. BURKE. As I understand it, you object to the provision authorizing the expense of the sale of these unallotted lands being paid from the proceeds?

Mr. CARTER. Yes, sir.

Mr. BURKE. You say the Government of the United States ought to pay all the expenses, and that is because, as you understand it, in the treaty it was contemplated that the Government would pay all the expense?

Mr. CARTER. There was nothing said about it in the treaty; that was simply the general understanding.

Mr. BURKE. You said that you, as I remember, thought that was the condition?

Mr. CARTER. Yes, sir.

Mr. BURKE. Now, I believe that we all agree that the treaty did not contemplate that there would be surplus land to sell?

Mr. CARTER. The treaty of 1902 did.

Mr. BURKE. The treaty of 1901 did not.

Mr. CARTER. No; the treaty of 1898.

Mr. BURKE. What did the treaties say as to the sale of segregated land?

Mr. CARTER. Segregated mineral land?

Mr. BURKE. Yes.



Mr. CARTER. That has passed out of my mind for the moment.

The CHAIRMAN. That was before the land was segregated?

Mr. CARTER. The segregation was provided for by the treaty of July 1, 1902. My recollection is now that the Government was to pay that, but I would not be positive.

Mr. BURKE. Unless there is something in the treaty the Government would be obligated in the same way as in the sale of unallotted land?

Mr. CARTER. Yes, sir. Except this: That expense was to be paid either by the Government or by the tribe, as the law directed or as the law was construed.

Mr. BURKE. When we introduced House bill 13710, and provided by section 7, "That there is hereby appropriated the sum of \$50,000 to pay the expenses of the appraisal of sales herein provided for, the United States to be reimbursed from the proceeds of the sale of such property," you had in mind then that the Government ought not to pay?

Mr. CARTER. When was that bill introduced?

Mr. BURKE. On August 16, 1911.

Mr. CARTER. The original bill provided that this be paid out of the Federal Treasury, without being reimbursable. The bill you read from was introduced later, amended, so as to conform to the recommendation of the Secretary of the Interior, who in his letter returning the bill required the payment of these expenses from the tribal funds.

Mr. BURKE. House bill 14055, introduced December 4, provides:

That there is hereby appropriated the sum of fifty thousand dollars to pay the expenses of the appraisal and sales herein provided for, the United States to be reimbursed.

Mr. CARTER. Yes; that was also at the suggestion of the Interior Department.

Mr. BURKE. That bill passed the House?

Mr. CARTER. Yes, sir.

Mr. BURKE. Was reported from the Indian Committee?

Mr. CARTER. Yes, sir.

Mr. BURKE. No protest on the part of you or any other Member that that ought not to be done?

Mr. CARTER. My protesting was done with the department.

Mr. BURKE. Yes; but I am speaking about here.

Mr. CARTER. I followed out the recommendation of the department, because I felt sure I could not get the bill passed otherwise.

Mr. BURKE. I call attention to the fact that the amended bill returned from the Senate also provides the same thing, including the establishment of a land office out there, so the Senate seemed to get the same impression.

Mr. CARTER. That comes about from the Secretary of the Interior changing the bill and sending it back both to the Senate and to the House. My bill provided that the expenses should be paid out of the Federal Treasury and nothing was said about the Federal Treasury being reimbursed from the Indian funds, but the Secretary recommended that they be paid from the tribal funds.

Mr. BURKE. You assented to it?

Mr. CARTER. I had to.

Mr. BURKE. Why?

Mr. CARTER. Because I wanted to get the bill passed.

Mr. BURKE. You did not make any protest in this committee or in the House?

Mr. CARTER. No, sir; it would not have been of any use.

Mr. BURKE. Are not the two propositions on a par?

Mr. CARTER. I am not so sure about that. I will read what my original bill said about these expenses. [Reading:]

That there is hereby appropriated, from any funds in the United States Treasury not otherwise appropriated, the sum of fifty thousand dollars to pay the expenses of the appraisement and sales herein provided for.

That is House bill 6731, my bill, as it read before the Secretary of the Interior sought to have it amended so that these expenses should be borne by the tribes themselves.

Mr. BURKE. That was introduced under what date?

Mr. CARTER. April 21, 1911.

The CHAIRMAN. Mr. Carter, I see in your amendment here relating to the payment of Gov. Johnson, "to be paid out of any funds—Indians should pay for his services."

Mr. CARTER. Yes, sir; that is what is intended.

The CHAIRMAN. I thought, while you are on the subject, you had better give some reasons for the records and for the benefit of the committee for the last part of the Johnson amendment, which is the important part of that amendment. The record ought to show something about that.

Mr. CARTER. The present system of handling the funds of the Choctaws and Chickasaws by the Interior Department is very nebulous and unsatisfactory. The act of April 26, 1906, turning the administration of our affairs over to the Secretary of the Interior makes practically only one restriction in handling tribal funds, and that in regard to schools. The Secretary is given carte blanche authority, and no one knows how much is spent nor for what it is spent. The purpose of this amendment is to bring that fund under exactly the same careful rules and regulations as is required with the funds of the Federal Government, to require proper submission to the Indian Committee of estimates necessary to such administration, so that the Indian Committee may pass upon the justice of those estimates and recommend the necessary appropriation to Congress. Under present conditions no Indian knows exactly what his money is being used for. He does not know what portion is being used for schools, nor what portion for the sale of lands, nor what, is being used for any other necessary or unnecessary expense.

Commissioner VALENTINE. Why do you not ask for a cost accounting?

Mr. CARTER. We have asked for that and got it, but it is necessary to pass a special resolution every time we want this information.

Commissioner VALENTINE. I mean in that act.

Mr. CARTER. In this act, you mean?

Mr. BURKE. Yes.

Mr. CARTER. You would have to pass such an act every year.

Mr. BURKE. I mean put in a proviso, as we have in connection with items of the bill.

Mr. CARTER. I can not see any reason why this money should not be administered in the same manner as the funds of the United

States. I think in the end you will find that this will be a big protection to you and your office, Mr. Commissioner. Our country is rife with charges now about the administration of these very funds. I heard a very prominent Indian citizen in our State make the statement that for every dollar paid per capita to the Choctaws and Chickasaws it cost them more than a dollar in expenses. That statement has been corrected, but unless something is done to stop this reckless administration of our funds by Congress such charges will grow and gather force, for such loose manner of handling trust funds is bound to cause just such loose talk as this.

Commissioner VALENTINE. Would not the cost-keeping statement rendered by the Secretary on the first Monday of December every year settle that difficulty?

Mr. CARTER. That might help some——

Commissioner VALENTINE. It seems to me that you avoid any loose acts in operations because——

Mr. CARTER. Well, Mr. Commissioner, when all is said that can be said, Congress is responsible for the handling of these funds no matter what the law might be, for Congress passes the law, and since Congress is responsible Congress ought to have the right to say, and should take the right to say, just how these funds should be expended.

Commissioner VALENTINE. The minute they were not satisfied with the statement they could step in and change things.

Mr. CARTER. Not except by some kind of affirmative action.

Commissioner VALENTINE. That is just what I am afraid of.

Mr. CARTER. The effect of this amendment would simply be to bring you to the Indian Committee with your estimates, just the same as you do for other appropriations, and I dare say the committee would treat you fairly.

Commissioner VALENTINE. What I am afraid of is that if we now turn this thing upside down——

Mr. CARTER. I do not believe it would be——

Commissioner VALENTINE. Whichever way you chose, if we proceed and go forward instead of otherwise I fear that some of the existing activities like the schools, for instance, which I consider an absolute necessity for the full-blood Indians for some time to come, this will become affirmative action.

Mr. CARTER. If the necessity existed I think it would simply be up to you to show it.

Mr. FERRIS. Let me inquire, do you intend by your amendment to have that apply to schools or to other expenses?

Mr. CARTER. Schools and all. Now, then, Mr. Commissioner, I want to say this further, with all due regard to two of our friends present, that there has been considerable extravagance at a recent session of the Choctaw council, a repetition of which might be avoided by this very procedure.

Commissioner VALENTINE. But the thing that is worrying me is the schools.

Mr. CARTER. I am inclined to believe that you would not have any difficulty in regard to the schools.

Commissioner VALENTINE. I have been thinking of those full-blood Indian children, and I would hate to see anything done that would have the effect, without really, perhaps, raising the issue, of making it necessary for Congress to take a certain kind of affirmative action which is now assented to by Congress under existing law.

Mr. CARTER. I will define my position on the schools, so you will know exactly where I stand. The schools should be continued for the incompetent Indians, but I think the expense of those schools should be paid from the funds of the incompetent Indians themselves, since they have the funds. If they had not the funds, then I think you would find a great many of our competent people who would be willing to contribute to their education, but since they have funds sufficient to continue their schools I can see no reason why a man who is paying taxes for the schooling of his children should be called upon to contribute to that fund.

Commissioner VALENTINE. There is something to be said on both sides of that proposition. I am in sympathy with the idea that if there is money enough the incompetent Indians should pay for their own schools and not be a tax on the competent. On the other hand, in a family where there are children of various grades, the father and mother may be in a position to provide more for such children; but what I am afraid of is that we might lose the schools altogether, and there would be less objection to your amendment if you had an affirmative item appropriating for schools.

Mr. CARTER. I had expected that the schools would be provided for just like the schools in the District of Columbia, or other Indian schools.

Commissioner VALENTINE. If that were done it would remove one of the great objections, shutting this thing off.

Mr. CARTER. Eliminating the consideration of the schools, do you not realize that since Congress is responsible for the administration of this money, Congress and this committee should have something to say about how it is to be spent?

Commissioner VALENTINE. Absolutely; that is why I ask you to let it go one year more, with a provision requiring the strictest kind of accounting for every cent of this money.

Mr. FERRIS. Suppose that amendment was so modified by a proviso that it should not apply to schools; what would you then say to it?

Commissioner VALENTINE. I would want to refresh my mind as to the other items which are separate.

Mr. FERRIS. I thought you were just about to say that if the schools can be taken care of it would remove your objections.

Commissioner VALENTINE. I think it would, largely, but I want to be fair to the other items.

Mr. FERRIS. Surely, the other would not be in danger.

Commissioner VALENTINE. I do not recall what that money is used for. I will look it over and be glad to give you anything on that point.

Mr. BURKE. Mr. Commissioner, is there any official connected with the administration of affairs at Muscogee who receives an annual salary, who is located there permanently, who draws, in addition to his salary, any allowance in the way of a per diem that increases the compensation that he receives from his salary?

Commissioner VALENTINE. I rather think that at the present time there is not one of them; I am not absolutely sure of that. I know the Secretary so construed, cutting off the per diem, and I know that he wrote to one official and asked him about it, and that official

said he had nothing to offer as to why it should be retained, and the Secretary, I understand, cut it off. Whether that is still the policy I do not know.

Mr. BURKE. Then there have been officials drawing salary that have been receiving a per diem?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. Who were they?

Commissioner VALENTINE. I am not sure about them all. I think Mr. Wright had a per diem, and one other.

Mr. BURKE. Do you know how much that was?

Commissioner VALENTINE. I do not.

Mr. FERRIS. How long have they been at Muskogee?

Commissioner VALENTINE. Mr. Wright has been there a good many years.

Mr. FERRIS. Ten, more than ten, has he not?

Commissioner VALENTINE. Yes; and I think Mr. Ryan has been there two or three years. I am certain that Mr. Ryan's per diem has been discontinued, and the reasons for the discontinuance would apply elsewhere.

Mr. FERRIS. That was given them regardless of whether they were just traveling about or at the office in Muskogee?

Commissioner VALENTINE. That is my understanding.

Mr. CARTER. I have here the treaty provision for the pay of the commissioners who were to sell the segregated mineral lands. [Reading:]

Each of said commissioners shall be paid at the rate of four thousand dollars per annum. The Choctaw commissioner to be paid by the Choctaw Nation, the Chickasaw commissioner to be paid by the Chickasaw Nation, and the third commissioner to be paid by the United States.

Mr. BURKE. That has not anything to do with the sale of the land?

Mr. CARTER. They had charge of the sale of the land.

Mr. BURKE. This legislation does not have any reference to those commissioners?

Mr. CARTER. I understand; but you asked me how the expenses for the sale of those lands were paid, and that is exactly how that much of it was paid.

#### STATEMENT OF HON. BIRD S. McGUIRE, A REPRESENTATIVE FROM THE STATE OF OKLAHOMA.

Mr. McGUIRE. Mr. Chairman, I understand that there has been some discussion with respect to what are known as district agents or curators in the Five Civilized Tribes. I have always been very much in favor of the service, and I am now. If I had my way to-day, I would extend it. I would extend it to the Kiowas, Comanches, and Apaches, and I would extend it to the Osages, Poncas, and Pawnees, and, in fact, to all Indian tribes in Oklahoma.

The CHAIRMAN. Would it be your idea to give each tribe one or to group them?

Mr. McGUIRE. Give each tribe one where the tribe is sufficiently large to justify one, or I would combine the smaller tribes where one tribe was not large enough to justify one agent.

I want to state that I was one of the parties who have been strongly in favor of this particular branch of the service. In 1894

what was known as the Cherokee Strip was divided into counties and county officers were elected, and what were known then under the statute of Oklahoma as probate judges began to administer on the estates of Indians. My home is at Pawnee. Pawnee County is the home of the Pawnee Indians and constitutes what was originally the Pawnee Indian reservation. We had at that time, I refer to 1894, county officers and a probate judge, a man who, in my judgment, was entirely capable and honest. There were a great many guardians to be appointed for minor Indians. This was the first introduction of that sort of service. These guardians were appointed under the law and they should have been required by the probate judge or probate judges to report annually or at any time when the judge of the court might see fit.

There are too many probate judges who either do not know the law or are neglectful. They may be neglectful for one reason or another. It may be because they have the utmost confidence in the guardian, or it may be because they have some friendly political feeling for the guardian, or for one reason or another he be permitted to continue, and finally Pawnee County awakened to the fact that thousands of dollars of the Indians' money had been squandered, the minors' money. Then the question arose what could be done. A number of guardians and bondsmen had left. The department got to work as best they could. They had no authority, as a matter of fact, to go into the probate court, but inspectors were sent there. A local concern took the matter up; an organization of citizens interested in the welfare of the Indians began work, and after working four years they improved very much this branch of the service. I found that the same condition prevailed as to the Otoes and other Indians who were then in organized counties.

Subsequently, we became a State, and counties were organized everywhere in the State and officers were elected. We had had this experience in western Oklahoma, and it was easy to see that we were going to have the same experience repeated in the east end of the State, not because officers are dishonest, but for one reason or another they neglect this branch of the business. Even aside from the Indians the average guardian is not required by the average probate court to report annually. He may do so if he is a good business man, an intelligent guardian. But they appoint political friends, and it is not an unnatural thing for them to do so. So it was suggested that something ought to be done. The first law we passed provided for three guardians in western Oklahoma. I wanted more for old Oklahoma and a number for the Five Civilized Tribes.

Subsequently, they cut out the guardianship for western Oklahoma, and, as the chairman knows, the reason stated was that there were a number of superintendents, or a superintendent, for each tribe in Oklahoma and the Indian Territory part of the State, that is, the Five Civilized Tribes, had but one agency, and they necessarily should have the benefit of some of this local government or these superintendents. The committee saw fit to cut out the three superintendents, the local superintendents, or rather district agents, in the western end of the State, but retained them in the eastern end, or the Five Civilized Tribes. When these agents went to do their work in the western end of the State they met, of course, with

some opposition from the local county officers, the probate judges, or their friends, and the local attorneys, who may have had "fish to fry" or a purpose in view, and they complained bitterly against some agent. Some agent may be incompetent, he may be dishonest; they are no different from anybody else.

The best men do not take these places, but on the average they are about as strong men as the probate judges. I know some splendid men in the east end of the State at this time who are doing splendid work, and yet they meet with more or less opposition from the local officers—the judges who do not want anybody to interfere with their work—but if you discontinue these agents you are going to run into the same thing that we have already experienced in the western end of the State in organized counties three or four years before. There will be complaints not only from the Interior Department and other officials, but from the good local citizens who do not want the Indians' money squandered. Discontinue the superintendents or local agents and you are going to have that experience. You are going to have complaints from the good citizenship of that State. I know now that there is a great deal of feeling politically among a good many of the fellows against it, and they call it a dual affair, that they interfere with the probate courts, and all that sort of thing. I have had bitter complaints that this agent or that agent has gone wrong. That should not interfere with the policy. The mere fact that a man has gone wrong and has failed to do his full duty as an officer should not affect a policy, if it is all right.

Mr. BURKE. Have any of the complaints come from the guardians?

Mr. MCGUIRE. I can not say that I have had any complaints from the guardians, and yet I may have. I have had a good many complaints from the Creek and Cherokee Nations, stating what the district agents had done.

Mr. BURKE. Have you had any complaints from the attorneys?

Mr. MCGUIRE. I have had one complaint from an attorney, complaining about a district agent. I have had a number of complaints that I did not look up to see where they came from, because I knew what the service was, and I thought it to be a good service. It has its drawbacks, I know that, but when you take it up one side and down the other, it is a valuable service which, in my judgment, should not be discontinued.

The CHAIRMAN. In your part of the State you have no further need?

Mr. MCGUIRE. We have the need, Mr. Chairman, and if I had my way they would be put back there, because while we had them there was splendid work done, and the work that was done by the man in charge of the Pawnee Agency stands there yet as a monument to the necessity of this service in the western end as well as the eastern end. They refer to what the ex-chairman, our good friend, Mr. Sherman said: "Why, you fellows have a superintendent for every tribe, and why can not they do the work?"

Mr. BURKE. You have agents in the western end of Oklahoma and what we term subagents of the larger reservations?

Mr. MCGUIRE. There is none in the western end.

Mr. BURKE. But you do have a superintendent at each agency?

Mr. MCGUIRE. Yes, sir.

Mr. BURKE. Whereas in the Five Civilized Tribes there is the Union Agency at Muskogee with 100,000 Indians, covering an area of 40 counties?

Mr. McGUIRE. Very nearly. There is quite a distance between the two.

Mr. BURKE. A great distance.

Mr. McGUIRE. But the necessity remains just the same, and the Indian Service would be better off if we had the district agents for the tribes in the western end. Take my own county and the adjoining counties, there was a good deal of resentment on the part of the judges and the other parties, and some feeling against Federal office-holders, that ought not to be simply because they are Federal office-holders, but the parties who are opposed to the service encourage those things. Yet, notwithstanding that feeling and the expression of that sentiment a large majority of the good citizens want them there, those really interested in the welfare of the Indians. They should not have been discontinued in the western end and ought not, in my judgment, be discontinued in the eastern end.

The CHAIRMAN. The main duty for them to perform is to inspect the records of the probate court and to see that the guardians are making annual reports?

Mr. McGUIRE. That is one of the duties. They have enlarged their duties beyond what was originally intended.

The CHAIRMAN. That is the main duty, to see that the wards are not swindled and get what is coming to them?

Mr. McGUIRE. That is one of the duties.

The CHAIRMAN. They can not sell the land?

Mr. McGUIRE. They have extended this privilege to them. There are several things more required of them to-day beyond what was originally intended by the law. I think they largely depend on these local agents to make recommendations whether an Indian should have his restrictions removed. That is a duty in addition to what was originally intended by this legislation.

The CHAIRMAN. Is not that the duty of the Indian agent?

Mr. McGUIRE. Yes, sir; it is the duty of the Indian agent, but they like the local agent to do this work. It is a duty imposed over and above what was originally intended. I do not see why these men should not just as well do the work. When this provision was put in the Indian appropriation bill, as you will remember, it was intended that they should work in conjunction with the county officers and the county probate judges to see that the guardians made their annual reports or did whatever was necessary to look after the welfare of the Indians, especially as a sort of representative of the Government.

The CHAIRMAN. Take your own State; could not an inspector very soon go through the Osage records? I think there is only one county there.

Mr. McGUIRE. 1,500,000 acres.

The CHAIRMAN. Can not an inspector in a day or two go through the records and see when the various appointments were made, how long an estate has been in the hands of the administrator, and whether or not a report has been made; it is just a matter of going through the docket?



Mr. McGUIRE. Let us see about that. If I recollect correctly there are something like 200 guardianships of the Osage Indians; that is my recollection; something near 200 guardianship cases. Now, one man may have 40 of those guardianship cases, and the chances are that that man is either a friend of the county probate judge or some attorney or attorneys. It may be that he is an ex-post trader, a man who has been trading with the Indians for years. We will say he is a trader. I know of one man down there who has a number of these guardianship cases, and he sells them goods; he furnishes a man, under order of the court, goods from time to time, and he ought to be required to report on the prices of those goods. We will say he has charge of 40 of these Indians. Nobody but the court, which has many other duties to attend to, will look into the question as to whether he is doing his full duty or whether these 40 people in his charge are being properly treated or whether the prices which are presented to the probate court are prices which ought to be charged. There are hundreds of things to do, and nobody is going to attend to them; an Indian superintendent will not attend to them, and they will not be attended to unless somebody is specifically charged with that duty.

The CHAIRMAN. Have any of the charges made against these district agents been brought to your attention?

Mr. McGUIRE. Most every charge has been made against them and there is no doubt in my mind but that some of those charges are true. I am not defending the various local Indian agents where they make mistakes, because I know of serious mistakes that have been made. But that is not the fault of the service; the purpose of the service is all right. It is a case of the good outweighing the evil. When you consider the service as a whole I know of some splendid men who hold these positions and who are doing fine work; they are big, broad, and capable; they are earning every dollar they are getting. It is true that such men may make mistakes, and some may make willful mistakes; but that does not affect the principle, if the principle is right. The idea is to clear out a man whenever he is dishonest and put somebody in who is straight. I realize, however, that you can not always do that.

The CHAIRMAN. Would not a system like the national bank system answer in this instance? They have examiners who are sent around once a year, or at any time, and they make examinations of banks. Is not that the same thing as the Indian inspectors under the Indian department, that the Commissioner has the right to direct these inspectors to go out at any time and make an inspection relative to Indian matters? Would not those inspectors be the proper ones to send to any point, inspectors under the direct control of the Commissioner?

Mr. McGUIRE. Inspectors are used in something like the same way that inspectors are used under the bank system, as you say, but here is a condition that requires a man right on the ground, a man who can have personal supervision of one county or two counties, or whatever he can do, and he ought to be there, and this is work that ought to be well done and thoroughly kept up. I have seen it tried out, as I have said, right in my own section of the State, and I am very much in favor of this branch of the service.

The CHAIRMAN. Take up the bank system again. Do you think it would be possible to have an inspector standing around a bank in one city all the time and watching that particular bank instead of covering a large district?

Mr. McGUIRE. Oh, in the case of a bank the inspector can run over the accounts in a day or less than a day; he has certain things to do in connection with that institution, but he does not have to go into all of the details of the institution. He does not have to make investigations as to depositors, or anything of that sort.

The CHAIRMAN. Is not that similar to your judges, that they have but one county and one docket to run through, the same as bank examiners?

Mr. McGUIRE. Suppose that is so and the judge runs over the docket and finds 20 cases not reported. He says, "Who is the guardian?" "Well, judge, he is a man over there." "Who is he?" "I do not know; and we have not heard from him." And he goes over there and finds him gone, and also finds his bondsmen have gone. Then he has something to do; he has got to straighten up that case and see that there are new bondsmen. In my own county I know of more than 40 instances of derelict guardians and hundreds of dollars squandered. We had a cashier of a bank in Pawnee, as clean a young man as I have ever known; he got a lot of these guardianship cases and he was discharged from the bank. His bondsmen, I think, had disappeared sometime before, but owing to the position that he occupied, being the cashier of a bank, they gave him absolutely no attention, and his case is not straightened up yet, although they have been at work on it 7 or 8 years.

The CHAIRMAN. I believe the commissioner has offered an amendment to this bill providing that there shall be an agency of the Creeks and Chickasaws at Muskogee, Choctaws and Chickasaws at South McAlester, and for the Seminoles at some other place, making three agencies. If that was done and an inspector or inspectors put under the direction and control of the superintendent of these three places, and if these agents would have the authority, if these discrepancies occurred that you have mentioned, to direct suit to be brought or let the inspector inspect and report to the agent and then let the agent take such steps as he sees proper, could not that be done more efficiently than it is now done?

Mr. McGUIRE. In my judgment that sort of a plan ought not to in any way affect these local superintendents or, rather, the district agents.

The CHAIRMAN. Would it be best, in your judgment, to dispense with the union agency and with the commission of which Mr. Wright is the head, and enlarge the powers of the district agents so that the district agents would report directly to the Commissioner of Indian Affairs, and not at any intermediate place in Oklahoma?

Mr. McGUIRE. No; I would not have the district agents report directly to the Commissioner of Indian Affairs. I would cut out the Dawes Commission. I would have one head of that institution, the Five Tribes; it had always been so until the creation of the Dawes Commission, which was created for a special purpose and that purpose has long since gone by. I would now concentrate all under

one head, one agency, making it either a superintendency or an agency. I would put in charge there some good, strong, executive man. You can get them for just what you are paying Mr. Wright or Mr. Ryan. You can get good men, good executive men, who will take that position and run things in a businesslike way for just what either one of them is getting. In the next appropriation bill I would reduce the expenses to at least \$150,000.

The CHAIRMAN. In this present bill?

Mr. McGUIRE. Yes. I would leave the district agents as they are in the east end of the State and I would extend them over to the west end of the State, making as many as five in the west end of the State. I am willing to say I would go that far. Now, as to the establishment of different agencies in the east end of the State, I would want a little more time to think about it.

The CHAIRMAN. Would it not be advantageous to the Indians in not having to travel so far to attend to their matters?

Mr. McGUIRE. That is one thing to be considered.

The CHAIRMAN. Are there not more Indians and more business interests in the Choctaw and Chickasaw country than anywhere else?

Mr. McGUIRE. Yes. The question now is, in considering that proposition, whether you can, with less expense to the Government and better service to the Indians, take the government and put it nearer to them by locating it in three or four different places, or having a central government for the Indians and bringing the Indians to that government and doing the business from that local place. Whether it can be done as it is cheaper to the Government, cheaper to the Indians, and at the same time have as good a government as you get the other way is a question I have not gone into, but both sides would have a good argument, I can see that.

The CHAIRMAN. We want to get light on the subject and, of course, we seek it from the Congressmen.

Mr. FERRIS. The allotting is practically finished, is it not?

Mr. McGUIRE. I think so.

Mr. FERRIS. And a surface bill is pretty well under progress and almost a law?

Mr. McGUIRE. Yes. It will unquestionably be passed in a few weeks.

Mr. FERRIS. It has passed both houses in some form?

Mr. McGUIRE. Yes, sir.

Mr. FERRIS. But not agreed to as yet?

Mr. McGUIRE. No.

Mr. FERRIS. Do you not fear, in dividing the Muskogee Agency into three parts, that each part might soon become a whole? In other words, might they not expand and grow more cumbersome than now?

Mr. McGUIRE. Well, as I said, Mr. Ferris, I have not considered that phase of it, because it was not presented to me until I came in here just now. But the question as to whether the service would be hurt by having more entities, whether there is such relation between the Five Tribes as would interfere with more than one entity, I am not prepared to say.

My opinion is that the only tribes which have such a relation as would interfere with two local governments would be the Choctaws

and Chickasaws. If I were going to locate an agency down there one agency would be for the Choctaws and Chickasaws together, because they are so interwoven as to the question of their lands and their common holdings that they ought to be together. But aside from that I do not see why there could not be more than one government.

Mr. FERRIS. They have been grinding along for 19 years with one government?

Mr. McGUIRE. Yes.

Mr. FERRIS. And it has been the treaty obligation for a number of years to close up their affairs, and that being true, would it not be unwise and rather contrary to the treaty policy to try to close up without establishing any new ones?

Mr. McGUIRE. Now, so far as closing up the business is concerned they are not going to close up the business with those tribes for a good many years yet. The question is to get as nearly closed as the business of the Indians will permit. You are going to find that there is going to be a sufficient amount of business in the Indian Department with the Five Tribes to require officers to be in charge, located there or elsewhere, for a number of years yet.

Mr. FERRIS. But, surely, it is growing less rather than greater?

Mr. McGUIRE. It ought to grow less rapidly. You take your own Indians down there—and I speak of your Indians, because I refer to the Oklahoma Indians in your own district—the Kiowas, Comanches, and Apaches, I undertake to say that with those Indians under one agency it is an economical government, as economical as there is anywhere, and a very much more economical government than is found anywhere in the Five Civilized tribes, or among the so-called civilized Indians or the Indians that have been associated with the whites for 60 years and more. Yet it is going to be necessary to have a superintendent, or some local government, for the Kiowas, Comanches, and Apaches for a great many years, and yet there is no necessity for the enormous expenditures that there have been down there for a number of years.

Mr. FERRIS. I heard you speaking of the district agents when I came in the room. It is your opinion that they ought to be maintained?

Mr. McGUIRE. I would not only maintain them in the east end of the State, but I would extend them to the west end of the State. I have seen it tried in my section, both with and without them, and work was done up here which was so very conclusive to my mind that I am sure it was money well spent. I would retain the district agents.

Mr. FERRIS. Now that we have been a State five and more years, do you not think our courts ought to rank on an equality with all probate courts in the other States of the country, and do you not think they do?

Mr. McGUIRE. There is no doubt about it. There is no doubt in my judgment but what the county courts of Oklahoma are as capable as courts in other States of the Union on the average, and there is no reason why they should not be. But you can go to any State in the Union where they have been administering the estates of white people for one reason or another, and if there is not somebody in the average case to push the probate court, look after the bondsmen,

and look after the guardians, not infrequently, you are going to have trouble and losses. Now, then, that same condition exists to a greater extent with the Indian because the Indian is indifferent; he is regarded by the guardian as indifferent; regarded by the people as indifferent, and there is such an enormous number of those cases that they ought to have some special attention, and that special service should be directed to that particular work. That is the way it was done in my county. Before you came in I was telling them about the Pawnee tribe, where we had heavy losses with the Indians, and in some cases matters have not yet been straightened up.

Mr. FERRIS. It is your opinion that the greater number of the Indians of the Five Civilized Tribes are more intelligent than any other tribe of Indians in the United States—is not that so?

Mr. McGUIRE. A higher percentage of them. I think there is a less percentage of full-blooded Indians, probably, than in any other tribe that I know of.

Mr. FERRIS. The figures show that?

Mr. McGUIRE. Yes.

Mr. FERRIS. If the grade of intelligence is higher in the Five Tribes than in any other Indian tribe in the United States, is not that an additional reason why we should not at least have more administration and more district agents than they have elsewhere?

Mr. McGUIRE. I did not get that question.

Mr. FERRIS. Perhaps my question was not very clear. My thought was this: The majority of the Indians of the Five Civilized Tribes are, as you say, superior in intelligence to any other tribe in the United States; and that being so, is not that an additional reason why we should not have more agents, supervision, and administration than they have elsewhere?

Mr. McGUIRE. Well, it is an additional reason, so far as that, as a reason, might affect this part of the service. But an incompetent is an incompetent always. There may be greater or less degrees of incompetency; but when he has to have a guardian, that is an evidence of incompetency; and whether he be white or Indian or any other nationality, the reason for this service would depend upon the number of cases rather than upon the general competency of the people as a race. Now, there is a great multiplicity of this character of cases, a great multiplicity of cases that receive no attention except the casual, general attention from the General Government, unless you have a specific service for this specific purpose.

Mr. FERRIS. Do you not think that if the question of intelligence were a test, that we would need district agents worse on the west side than on the east side?

Mr. McGUIRE. That is exactly right.

Mr. FERRIS. We had district agents on the west side and only maintained them for one year?

Mr. McGUIRE. Yes.

Mr. FERRIS. And have none now?

Mr. McGUIRE. Before you came in I was telling the chairman and Mr. Burke that in my judgment there was a grave mistake. I was here when they cut out that appropriation for the west side. It was cut out at the suggestion of the chairman, at that time Mr. Sherman, and perhaps others, and the argument advanced was this: That every tribe on the west side had a superintendent and a local government

that could be reached by any of the Indians, and that on the other side they had a union agency for all the Five Civilized Tribes and that we must have these various arms out up and down there to take care of local interests.

The CHAIRMAN. The next item is:

SEC. 18. For support and civilization of Klamath, Modocs, and other Indians of the Klamath Agency, Oregon, including pay of employees, six thousand dollars.

Commissioner VALENTINE. I wish to submit a justification for that item, as follows:

*Support of Indians of Klamath Agency, Oreg.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$6,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated -----	8,000. 00
Amount expended -----	7,958. 43
Unexpended balance -----	41. 57
Analysis of expenditures:	
Employees -----	6,558. 84
Heat, light, and power -----	128. 14
Hardware, implements, etc -----	154. 42
Furniture and household goods -----	113. 85
Medical supplies -----	487. 92
Live stock -----	400. 00
Transportation of supplies -----	73. 50
Stationary and office supplies -----	41. 02
Miscellaneous -----	. 74
Total -----	7,958. 43

*SUPPORT OF INDIANS, KLAMATH AGENCY, OREG.*

Amount asked for, \$6,000.

Of this amount \$5,460 is used for the payment of the salaries of several employees who are engaged in the handling of agency affairs. The remainder, \$540, is used, as far as it will go, to provide some little subsistence and a few other articles for the Klamath, Modoc, and other Indians on this reservation.

The population of this reservation is 1,126.

Commissioner VALENTINE. These Indians have large timber lands.  
The CHAIRMAN. The next item is:

For support and civilization of the confederated tribes and bands under Warm Springs Agency, and for pay of employees, four thousand dollars.

Commissioner VALENTINE. I wish to submit a justification for that item, and to make the same suggestion with regard to them as to the Klamath Indians.

Mr. FERRIS. As to the reimbursement feature?

Commissioner VALENTINE. Yes. The justification is as follows:

*Support of Indians of Warm Springs Agency, Oreg.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$4,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated -----	4,000. 00
Amount expended -----	4,004. 60
Amount overdrawn -----	4. 60

**Analysis of expenditures:**

Employees	\$1,964.02
Heat, light, and power	70.30
Subsistence	527.77
Dry goods, clothing, etc	13.50
Hardware, implements, etc	265.25
Furniture and household goods	49.40
Medical supplies	368.28
Forage	680.68
Stationery and office supplies	65.40
<b>Total</b>	<b>4,004.60</b>

**SUPPORT OF WARM SPRINGS INDIANS.**

Amount asked for, \$4,000.

The superintendent has under his jurisdiction 780 Indians, 46 of whom receive rations. Over \$2,000 is expended for the services of clerk hire, and the remainder is used for the purpose of purchasing supplies, such as hardware, agricultural implements, and the like for the benefit of the Indians, in order that they might better their condition.

The CHAIRMAN. The next item is:

For support and civilization of the Wallawalla, Cayuse, and Umatilla Tribes, Oregon, including pay of employees, three thousand six hundred dollars.

Commissioner VALENTINE. I wish to submit a justification in support of this item, as follows:

*Support of Wallawalla, Cayuse, and Umatilla Tribes, Oregon.*

Fiscal year ending June 30, 1912, amount appropriated \$3,000.00

Fiscal year ended June 30, 1911:

Amount appropriated	3,000.00
Amount expended	2,868.43
Unexpended balance	131.57

**Analysis of expenditures:**

Employees	2,090.00
Medical supplies	377.99
Live stock	400.00
Miscellaneous	.44
<b>Total</b>	<b>2,868.43</b>

[Memorandum.]

**SUPPORT OF WALLAWALLA, CAYUSE, AND UMATILLA TRIBES, OREGON.**

Amount asked for, \$3,000.

There are over 900 Indians of these tribes, and in the administration of their affairs over \$2,000 is expended for clerk hire. The remainder of the appropriation is used for the purchase of rations, hardware, medical supplies, farm implements, wagons, and the like for the benefit of the Indians.

The additional amount asked for is required to make increases in some of the present salaries, which are necessary if we are to obtain and retain efficient clerical and other help.

Commissioner VALENTINE. We have very large leasing operations on the Umatilla Reservation, and the present employees are not sufficient in number to handle the matter promptly. We need an extra clerk there. These Indians have substantially no funds in the Treasury, and I very much hope this addition can be allowed.

The CHAIRMAN. Have they funds to their credit?

Commissioner VALENTINE. They have interest funds to the extent of \$15,000, as shown in this statement, and we shall probably recommend that this be made available for agency purposes.

The CHAIRMAN. The next item is:

For support and education of six hundred Indian pupils, including native pupils brought from Alaska, at the Indian school, Salem, Oregon, and for pay of superintendent, one hundred and two thousand dollars; for general repairs and improvements, nine thousand dollars; in all, one hundred and eleven thousand dollars.

Commissioner VALENTINE. I wish to submit a justification for this item, as follows:

*Indian school, Salem, Oreg.*

Fiscal year ending June 30, 1912: Amount appropriated..... \$112,200.00

Also \$15,000 for buildings in 1912 act.

Fiscal year ended June 30, 1911:

Amount appropriated..... 112,200.00  
Amount expended..... 102,243.16

Unexpended balance .....	9,956.84
Analysis of expenditures:	
Employees.....	31,159.52
Construction and repairs.....	7,791.39
Heat, light, and power.....	12,796.98
Subsistence.....	19,786.89
Dry goods, clothing, etc.....	20,291.17
Hardware, implements, etc.....	4,645.37
Furniture and household goods.....	1,555.44
Schoolroom supplies.....	1,226.52
Medical supplies.....	600.44
Forage.....	1,816.50
Traveling expenses.....	282.28
Telephoning.....	48.00
Stationery and office supplies.....	476.29
Miscellaneous.....	316.37
	<u>102,243.16</u>

Also \$20,350 in 1912 act for land, all of which was used for such purpose except \$2.

*Indian school, Salem, Oreg. (1913).*

Support, education, etc.....	\$102,000.00
Repairs and improvements.....	9,000.00
Total .....	<u>111,000.00</u>
Total value of school plant and equipment.....	\$379,860.88
Capacity of school .....	650
Enrollment.....	561
Average attendance.....	459
Number of employees.....	48
Total salaries.....	<u>\$35,545.00</u>
Appropriation, 1911:	
Support, education, etc.....	\$102,200.00
General repairs and improvements.....	10,000.00
Purchase of land.....	20,350.00
Total .....	<u>132,550.00</u>



<b>Expenditures, 1911:</b>	
Administration .....	\$2, 025. 00
Operation .....	93, 089. 51
Plant .....	7, 791. 39
Purchase of land .....	20, 343. 00
Total .....	123, 263. 90
Cost per capita, exclusive of repairs and improvements to plant and new construction .....	
	166. 50
<b>Appropriation, 1912:</b>	
Support, education, etc .....	102, 200. 00
Repairs and improvements .....	10, 000. 00
School addition .....	15, 000. 00
Total .....	127, 200. 00
<b>Superintendent's estimates for 1913:</b>	
Absolute necessities .....	106, 200. 00
Urgent needs .....	6, 000. 00
Total .....	112, 200. 00

This school, with the large and excellent plant and one of the best school farms in the service, draws for its pupils from Oregon and Washington, Idaho, Montana, Wyoming, and northern California. In northern California is a large body of Indians remote from civilization, and of these it has been estimated that there are 2,600 children eligible for enrollment. It is difficult to induce them to attend a Government school, but Salem is the nearest and logical nonreservation or industrial school for these Indians.

There is also a demand on the part of Alaskan Indians for admittance to the school, and the number of these will average 20 per cent of its total enrollment. The Alaskan Indian children are excellent pupils, tractable, reasonably intelligent, and industrious.

The CHAIRMAN. How many pupils have been brought from Alaska and been put in this school? Is there any statement showing that?

The enrollment of Alaskan children in Indian schools for the first quarter 1912 is as follows:

Carlisle .....	4
Chemawa (Salem) .....	148
Cushman (Puyallup) .....	8
Sherman Institute .....	1
Total .....	161

The CHAIRMAN. There are a great many Indians in Oregon, are there not?

Commissioner VALENTINE. Yes, sir; a great many—the Warm Springs, the Umatillas, and the Klamaths. This school is also near the State of Washington, where they have large reservations.

The CHAIRMAN. Are there schools on these reservations of which you speak?

Commissioner VALENTINE. Yes; but this is a school central to a very large area of Indians in those two States particularly.

The CHAIRMAN. Is it an industrial school?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. I notice this school has 440 acres of land. Is that being farmed?

Commissioner VALENTINE. They have a very large and good farm there, I understand.

The CHAIRMAN. Do you know anything about how much the farm produces?

Commissioner VALENTINE. I have nothing here that will show that.

Mr. BURKE. I should again like to ask you if, where they have these large farms that are productive, it ought not to lessen somewhat the cost of maintenance and the keeping up of the schools?

Commissioner VALENTINE. It should.

Mr. BURKE. I wish to again ask you to look into that matter so as to give us information as to why the cost is not reduced where they have a large farm, and see if that can not be corrected.

Take the question of subsistence, \$19,786 at the Salem School. At Haskell the subsistence cost is \$25,441, and there is a difference in attendance nearly double. I think Haskell has a farm also.

Commissioner VALENTINE. There is a variable element which comes in there which must be considered, and that is that we have found to be pretty generally the case, that the rations for school children are not as healthful and nourishing as they ought to be. You can easily economize in the wrong direction in that respect.

**STATEMENT OF HON. WILLIS C. HAWLEY, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF OREGON.**

The CHAIRMAN. Mr. Hawley is here. Which do you desire to call up, Mr. Hawley?

Mr. HAWLEY. This is called the Holman Indian School.

The CHAIRMAN. On what page?

Mr. HAWLEY. Page 40.

Mr. HAWLEY. In the draft of the bill as originally drawn, there was this language toward the latter part of the paragraph:

For extension of wings of present school building, fifteen thousand dollars.

I think that has been stricken out.

Mr. BURKE. That is because it has been appropriated. You have got that available. We do not want to reappropriate it. That is last year's appropriation.

Mr. HAWLEY. The point is that there was submitted in the estimates for this year \$6,000 for an industrial building.

Mr. BURKE. What do you mean by the estimates?

Mr. HAWLEY. The ones that I got for my own personal use in regard to the needs of the school.

Mr. BURKE. Those are not the estimates?

Mr. HAWLEY. I think that was in the estimates to the department.

The CHAIRMAN. I guess that was the school superintendent who gave you those estimates?

Mr. HAWLEY. Yes.

The CHAIRMAN. That, then, has to come through the Indian Office to us. The superintendent may have asked it, and it might not have been allowed after it reached the office here.

Mr. HAWLEY. That was the item of \$6,000 I had in mind. This school is within 6 miles of my home, and when I was in school work in Salem, we had there students in the university. They do very good work there. They have a very excellent industrial department of the school, and they have been making wagons and other kinds of farming implements, and they have been training the boys to use

their hands, and they have had ready sale for all the wagons they can make.

The superintendent has more demands for the wagons than for any other one item. The boys do excellent work in the blacksmith shop. It has occurred to me that in all this manual training work, if proper encouragement could be given, it is about the best thing we could do for our Indian citizens to teach them to use their hands efficiently.

There are two old wooden buildings which were joined together. They have done the best they could with them; they have done excellent work with the facilities they have had, but they are not such facilities that would enable the boys to learn blacksmithing properly, nor can all the boys be accommodated that would like to learn.

The CHAIRMAN. What is the actual amount you ask for?

Mr. HAWLEY. The amount I ask for is \$6,000 for an industrial building to replace the two buildings now used as a blacksmith shop.

The CHAIRMAN. "Blacksmith shop, etc." would cover it?

Mr. HAWLEY. I guess it would cover general machinery work.

The CHAIRMAN. Anything else?

Mr. HAWLEY. That is all. I am sure that this amount can be very well used for the good of the students.

The CHAIRMAN. Last year you had \$15,000 for the extension of the wing?

Mr. HAWLEY. That was for school purposes. The attendance of the school is large and it has a good reputation for instruction, and the pressure on the school facilities is greater than we can accommodate.

The CHAIRMAN. We will take up the matter later.

The CHAIRMAN. The next item is:

For support and civilization of Indians at Grande Ronde and Siletz Agencies, Oregon, including pay of employees, four thousand dollars.

Commissioner VALENTINE. I offer the following justification in support of this item:

*Support of Indians of Grande Ronde and Siletz Agencies, Oreg.*

Fiscal year ending June 30, 1912: Amount appropriated.....	\$4,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	5,000.00
Amount expended.....	4,915.29
Unexpended balance.....	84.71
Analysis of expenditures:	
Employees.....	2,846.20
Repairs and improvements.....	11.00
Heat, light, and power.....	230.25
Subsistence.....	826.73
Hardware, implements, etc.....	199.86
Furniture and household goods.....	27.45
Medical supplies.....	190.02
Live stock.....	150.00
Traveling expenses.....	184.16
Telephoning.....	17.25
Stationery and office supplies.....	210.42
Miscellaneous.....	21.85
	4,915.29

## SUPPORT OF INDIANS AT GRAND RONDE AND SILETZ AGENCIES.

Amount asked for, \$4,000.

The superintendent has under his jurisdiction nearly 600 Indians; \$2,500 of the appropriation is expended for clerk hire. The two reservations being situated widely apart, a considerable portion of the fund is used for traveling expenses of employees in transacting the business of the Indians. The remainder is used to provide heat and light for the agency office and the purchase of subsistence and other articles to be issued to the Indians.

Mr. FERRIS. Have the Siletz and Grande Ronde Indians lands or moneys or estates?

Commissioner VALENTINE. I think not.

The CHAIRMAN. What part of Oregon is that in?

Commissioner VALENTINE. It is on the coast.

The CHAIRMAN. It ought to be good timberland, then?

Commissioner VALENTINE. I think it is.

The CHAIRMAN. But it is not in demand at the present time.

Commissioner VALENTINE. Siletz has an interest fund of \$997.

The CHAIRMAN. How many Indians are there?

Commissioner VALENTINE. There are 442 Siletz Indians, and at Grande Ronde there are 150.

Mr. FERRIS. Nearly 600 Indians?

Commissioner VALENTINE. Just about 600 in the two—in the Grande Ronde and Siletz.

Mr. FERRIS. What was your statement with reference to their financial condition?

Commissioner VALENTINE. They have a little over \$900 annual interest.

Mr. FERRIS. That is for the Siletz.

Commissioner VALENTINE. That is for the Siletz.

Mr. FERRIS. What is it for the Grande Ronde.

Commissioner VALENTINE. The Grande Ronde apparently have nothing.

Mr. FERRIS. That is interest at the rate of 4 per cent on the trust fund, is it not?

Commissioner VALENTINE. Probably. It does not indicate here whether it is 4 or 5 per cent.

Mr. FERRIS. You do not know whether the sums ought to be made reimbursable by reason of future revenues to be derived?

Commissioner VALENTINE. I should think not in these cases. The Siletz have only 3,200 acres of unallotted lands, so that, apparently, there are not any tribal funds to any amount coming to them. The Grande Ronde Indians have, apparently, no unallotted lands.

Mr. FERRIS. And no money?

Commissioner VALENTINE. And no money, apparently; and most of them have received their patents in fee.

The CHAIRMAN. The next item is:

For continuing the construction of the Modoc Point irrigation project, including drainage and canal systems, within the Klamath Indian Reservation, in the State of Oregon, in accordance with the plans and specifications submitted by the chief engineer of the Indian service and approved by the Commissioner of Indian Affairs and the Secretary of the Interior in conformity with a provision in section one of the Indian appropriation act for the fiscal year nineteen hundred and eleven, fifty thousand dollars appropriated in the act of March third, nineteen hundred and eleven (Thirty-sixth Statutes at Large, page one thousand and seventy-one), is hereby made available until expended: *Provided,*

That the total cost of completing this project shall not exceed one hundred and fifty-five thousand dollars, excluding the sum of thirty-five thousand one hundred and forty-one dollars and fifty-nine cents expended on this reservation to June thirtieth, nineteen hundred and ten, and that the amount hereby appropriated shall be repaid into the Treasury of the United States from the proceeds from the sale of timber or lands on the Klamath Indian Reservation.

Mr. MERITT. In support of this item, I submit the following justification:

IRRIGATION SYSTEM, KLAMATH RESERVATION, OREG. (REIMBURSABLE) (MODOC POINT).

The act of March 3, 1911, contained an appropriation of \$50,000 for continuing the construction of the Modoc Point irrigation project, but through a misunderstanding on the part of the House committee the language as inserted rendered it impossible, according to the comptroller's decision, to use any portion of this fund. The estimate submitted by this office was, in round numbers; \$155,000, but Gen. Marshall, to whom the report was submitted for criticism, suggested that it be increased to \$185,000. The act of March 3, 1911, says:

"Provided, That the total cost of this project shall not exceed one hundred and fifty-five thousand dollars, including the sum of thirty-five thousand, one hundred and forty-one dollars, and fifty-nine cents expended on this project to June thirtieth, nineteen hundred and ten, and that the entire cost of the project shall be repaid into the Treasury of the United States from the proceeds from the sale of timber or lands on the Klamath Indian Reservation."

It is believed that the Indian service estimate of \$155,000 will be ample to complete the project. It is respectfully recommended, therefore, that the above-cited provision be amended at the next session of Congress to read as follows:

"Provided, That the total cost of completing this project shall not exceed one hundred and fifty-five thousand dollars, and that this amount, together with the sum of thirty-five thousand dollars heretofore expended for irrigation on the Klamath Reservation, shall be repaid into the Treasury of the United States from the proceeds of the sale of timber or lands on the Klamath Indian Reservation."

The last-named sum, which was expended prior to June 30, 1910, was not all expended on the Modoc Point project.

Mr. MERITT. Mr. Chairman, there was appropriated in last year's Indian appropriation bill \$50,000 for the continuing of the construction of the Modoc Point project. The Indian Office estimated that this project would cost about \$155,000. Gen. Marshall, who has charge of irrigation matters in the office of the Secretary of the Interior, increased the estimate to \$185,000. The Congress reduced that estimate so that the cost should not exceed \$155,000, including the amount that had been expended prior to that time. There is a provision in one of the Indian appropriation acts—section 1, Indian appropriation act, April 4, 1910, 36 Statutes at Large, 270—which provides that hereafter no new irrigation project on any Indian reservation allotments or lands shall be undertaken until it has been estimated for and a maximum limit of cost ascertained from surveys, plans, and reports submitted by the chief engineer in the Indian service, and approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and such limit of cost shall in no case be exceeded without express authority of Congress, and hereafter no new project to cost in the aggregate to exceed \$35,000 shall be undertaken on any Indian reservation or allotment without specific authority of Congress.

The CHAIRMAN. That was in 1910?

Mr. MERITT. That was the act of 1910. That was very good legislation which Mr. Burke was responsible for. The Indian Office

found that it could not complete this project under the amount appropriated by Congress. Therefore under this provision of law it was necessary for us to come back to Congress and submit the estimates and ask for reappropriation of \$50,000, as, last year, under the decision of the comptroller we were not permitted to use any of this appropriation during the current fiscal year.

Mr. HOLT. It is the same \$50,000. Mr. Chairman, there was several years ago a certain part of this canal constructed?

The CHAIRMAN. How much?

Mr. HOLT. A certain part, about \$30,000 was paid for from Indian reservations, and something like \$10,000 or \$15,000 from tribal funds, and it had been so long that the chief engineer considered this a new project, and that the \$155,000 was necessary to complete the project, and Congress limited the cost of the entire project, including \$35,000 that had already been expended, at \$155,000, practically reducing the chief engineer's estimate by \$35,000, and for that reason we were not allowed to use the \$50,000 until the limit of cost was fixed as intended by the chief engineer.

The CHAIRMAN. Will this \$50,000 here complete the entire project?

Mr. HOLT. That \$50,000 will not complete the entire project; it will merely carry on the work for the year, but there will be \$155,000 to be appropriated in the future years.

The CHAIRMAN. Is this one unit?

Mr. HOLT. This is one unit. The Oregon Short Line, in consideration of the fact of having completed some expensive excavation in constructing its right of way—the railroad had to run along the river on a side hill, and in order to protect their railroad they constructed a portion of the canal under agreement with the Reclamation Service.

The CHAIRMAN. With the Indian irrigation service, and practically the only change was excluding the amount heretofore expended.

Mr. HOLT. Instead of including the amount heretofore expended. There might have been other slight changes.

The CHAIRMAN. Can you give us an estimate of the value of the timber that is on the land belonging to these Indians?

Mr. HOLT. As I understand it, it is estimated at about \$11,000,000.

Mr. MERITT. There is an enormous amount of timber on that reservation, and there is not any question about these Indians having ample funds to reimburse this item. They have no cash at this time.

Mr. BURKE. Mr. Meritt, I would think the important thing for you to show here is why the estimated cost limit ought to be increased, unless it was a mistake.

Mr. MERITT. It was practically a mistake, as I understand it. The estimated cost to complete the project was \$155,000, and Congress appropriated \$155,000—I mean fixed a limit of cost at \$155,000, which was to include \$35,000 which had already been expended, and that reduced the chief engineer's estimate by that amount.

Mr. BURKE. In making an estimate, is it your understanding that the chief engineer did not take into consideration what had already been expended?

Mr. HOLT. He did not. He considered it a new project for the reason that no work had been done on it for several years.

Mr. BURKE. My recollection is that we did take that \$35,000 into consideration, because we expressly included \$35,000 which had already been appropriated.

Mr. MERITT. It might not have been made clear without going through the report that the limit of cost for completing the work was to be \$155,000. The language of the law last year is very clear. It says "included."

Mr. HOLT. But the Indian Office and the chief engineer considered it a new project—the completion of this work—and for that reason he estimated the limit of cost to be \$155,000, not considering the \$35,000 that had heretofore been expended.

Mr. BURKE. But we made the amount after hearings, in which somebody from the Indian Office, and I think Mr. Code, was here and gave us the information that caused us to state the amount as it is stated, and that the \$35,000 must have been considered is apparent from the fact that item says "including the \$35,000 heretofore expended." If the chief engineer was in error or made a mistake in his estimates, why, that is a question now for us to consider.

Mr. HOLT. There was a mistake somewhere. While I think the reason that he limited the total cost was to be fixed by Congress as \$155,000, which he intended to be for the amount to carry on the work to completion, and it was interpolated as the actual amount to be expended on the entire project, including that heretofore expended. I took it up with the chief engineer after the law passed, and he told me we had better take it up with the Comptroller of the Treasury to find out whether we could expend any of that, for the reason that his estimate had been practically reduced \$35,000.

Mr. BURKE. As a matter of fact, you have not been able to expend anything; nothing has been done. What is your recollection, Mr. Meritt?

Mr. MERITT. I was not present at the hearing before the committee on that item.

Mr. BURKE. Naturally we would let the office fix the estimate, and then expect to hold them to it. That would be what we would naturally do. I do not recall as to this appropriation. I just assume the fact that we had put a limit on that, and that \$35,000 was to be deducted that that must have been the understanding.

Mr. MERITT. If it had been changed from "include" to "exclude" it would have been all right.

The CHAIRMAN. I would like to inquire, Mr. Meritt, why you have taken out "project" and inserted "reservation." All the way through it seems it is for the completion of this project, and the limitation is on this project, and the word "project" is stricken out and the word "reservation" inserted. In the next line, entire cost of project, you have stricken that out, and the amount which shall be appropriated.

Mr. HOLT. I think that was done because some of that \$35,000 already expended was paid from tribal funds—individual Indian moneys, and a balance of the \$35,000 was paid from irrigation Indian reservation, which is a nonreimbursable appropriation.

The CHAIRMAN. This evidently refers to this original project mentioned before.

Mr. BURKE. As I understand it, that \$35,000 has been expended upon that reservation?

Mr. HOLT. Yes, sir.

Mr. BURKE. In the past; not this project, but on the reservation.

The CHAIRMAN. Now, you propose to exclude from the appropriation the limit of the cost—the money expended upon the reservation, which is \$35,000?

Mr. HOLT. Yes, sir.

The CHAIRMAN. And that \$35,000 really not being of any account so far as this project is concerned, perhaps ought not to be reimbursed. This amount \$155,000, certainly ought to be; and if we allowed this, I should want to put in the words "hereafter"; but that is a matter for consideration when we reach the bill.

Mr. FERRIS. How long ago was that \$35,000 spent?

Mr. HOLT. I have no record here, but I can get those figures. It was expended probably within the last 12 or 15 years.

Mr. FERRIS. Nothing has been expended on this project within the last—

Mr. HOLT. Nothing within the last four or five years.

Mr. FERRIS. You would have to begin again?

Mr. HOLT. We could make use of a portion of the canal.

Mr. FERRIS. Is it in the hands of caretakers now?

Mr. HOLT. No.

Mr. FERRIS. Just been abandoned?

Mr. HOLT. And the longer we let it go the more it will depreciate and have to be done over.

Mr. FERRIS. It will have to be practically done over again anyway?

Mr. HOLT. A large part will be saved and only what washes in will have to be cleaned out.

The CHAIRMAN. The next item—

Mr. BURKE. I would like to ask Mr. Meritt if this statement does not give us the information that you will get some data as to the lands, and so forth, of these Indians.

Mr. MERITT. I think I can give that to you. There are 1,174 Indians on the Klamath Indian Reservation, who have been allotted 177,719 acres, leaving 872,186 acres unallotted. The Klamath Indians also have timber interests of great value, estimated to be worth about \$10,000,000. A good deal of this timber is not accessible at this time, however, because of lack of railroad facilities.

The CHAIRMAN. Have they any cash in the Treasury?

Mr. MERITT. They have no cash to amount to anything.

The CHAIRMAN. The next item is:

To enable the Secretary of the Interior to construct a bridge and the necessary approaches thereto across the Deschutes River, abutting on the Warm Springs Indian Reservation, in the State of Oregon, at point to be selected by him, fifteen thousand dollars.

Commissioner VALENTINE. I offer a justification in support of that item, as follows:

The Oregon Trunk Railway has constructed a railroad along the east bank of the Deschutes River, which forms the eastern boundary of the Warm Springs Reservation. The company has established a station at a point 2½ miles from the agency, to reach which it will be necessary to construct a bridge across the river.

The Deschutes River is deep and its flow rapid, and if the supplies for the agency are not hauled from this station (Mecca), it will be necessary to travel 15 miles to reach Madras over very rough roads, whereas the route to Mecca is much shorter and the grades easy.



It would afford a saving of both time and money and aid in the proper administration of Indian affairs should this bridge be constructed.

Mr. BURKE. This bridge is upon a reservation, is it not?

Commissioner VALENTINE. One end of it would be.

Mr. BURKE. To what extent would it be used by others than Indians?

Commissioner VALENTINE. It would undoubtedly be used to some extent by white people, but the main traffic across the bridge would be outgoing Indian traffic.

Mr. BURKE. How many Indians are there who would use this bridge?

Commissioner VALENTINE. At Warm Springs?

Mr. BURKE. Yes.

Commissioner VALENTINE. Seven hundred and sixty-five on the reservation.

Mr. BURKE. That is, all told?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. That would be over 150—150 to 200 adults?

Commissioner VALENTINE. That is all.

Mr. BURKE. Is there any estimate of the cost of this bridge?

Commissioner VALENTINE. As far as I know the only reports we have are from the superintendent. I do not know that any engineer has made a study of it.

Mr. BURKE. You are not able to state definitely that this amount is required for the bridge, or that it would construct it?

Commissioner VALENTINE. I am not able to state that definitely.

The CHAIRMAN. Have you ever been on the ground yourself?

Commissioner VALENTINE. No, sir; I have never been there.

The CHAIRMAN. What report have you that would indicate that that bridge should be built at that point?

Commissioner VALENTINE. We have reports from our superintendent there. I will submit to you any details in that report that we have.

The CHAIRMAN. Does this reference here show the reasons?

Commissioner VALENTINE. No; it is very vague and general.

The CHAIRMAN. The next item is—

SEC. 19. For support and education of Indian pupils at the Indian school at Carlisle, Pennsylvania, and for pay of superintendent, one hundred and thirty-two thousand dollars; for general repairs and improvements, nine thousand dollars; for completing steam-heating plant, seven thousand five hundred dollars, to be immediately available; in all, one hundred and forty-eight thousand five hundred dollars.

Commissioner VALENTINE. I desire to submit a justification for this item, as follows:

INDIAN SCHOOL, CARLISLE, PA.

Fiscal year ending June 30, 1912, amount appropriated-----	\$147,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated (including \$10,000 for heating system)---	172,000.00
Amount expended-----	188,545.96
Unexpended balance-----	3,454.04

**Analysis of expenditures:**

Employees.....	\$54,869.16
Construction and repairs.....	27,382.12
Heat, light, and power.....	15,649.51
Subsistence.....	24,510.10
Dry goods, clothing, etc.....	13,061.76
Hardware, implements, etc.....	3,274.81
Furniture and household goods.....	491.57
Schoolroom supplies.....	1,480.80
Medical supplies.....	1,062.02
Live stock.....	716.00
Forage.....	1,221.50
Transportation of supplies.....	104.25
Transportation of pupils.....	17,191.40
Traveling expenses.....	1,431.31
Telephoning.....	407.00
Stationery and office supplies.....	753.74
Printing supplies.....	3,032.49
Miscellaneous.....	1,906.42
	<hr/>
	168,545.96
	<hr/>
Support, education, etc.....	\$132,000.00
Repairs and improvements.....	9,000.00
Completing steam-heating plant, to be immediately available.....	7,500.00
	<hr/>
Total.....	148,500.00
	<hr/>
Total value of school plant.....	\$627,825.00
	<hr/>
Capacity of school.....	1,200
Enrollment.....	1,021
Average attendance.....	932
Number of employees.....	74
	<hr/>
Total salaries.....	\$56,030.00
	<hr/>
Appropriation, 1911:	
Support, education, etc., and for general repairs and improve- ments.....	\$162,000.00
Steam-heating plant.....	10,000.00
	<hr/>
Total.....	172,000.00
	<hr/>
Expenditures, 1911:	
Administration.....	2,650.00
Operation.....	138,513.84
Plant.....	27,863.89
	<hr/>
Total.....	169,027.73
	<hr/>
Cost per capita, exclusive of repairs and improvements to plant and new construction.....	138.26
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Appropriation, 1912:	
Support, education, etc.....	142,000.00
Repairs and improvements.....	5,000.00
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Total.....	147,000.00
	<hr/>
Superintendent's estimates for 1913:	
Absolute necessities.....	197,000.00
Urgent needs.....	22,000.00
	<hr/>
Total.....	219,000.00

This school draws upon the entire United States and Territories for its supply of pupils, and it is now so well and favorably known that it is an easy matter to keep up the attendance throughout the year.

It is equipped for both literary and industrial instruction of pupils, and is peculiarly well situated in a prosperous and progressive eastern community for the further training of its pupils along industrial lines under its outing system. This has been an important feature in the past, and the school is considered a necessity to the service for many years to come.

The amount allowed for repairs and improvements during 1912 has been found far from sufficient to keep up the buildings and grounds to a respectable appearance and condition, and the sum proposed for 1913 is as little as can possibly be gotten along with for an entire year, especially since the buildings are, many of them, old frame structures formerly used as soldier barracks, but now converted into school buildings. This sum is less than 1½ per cent of the total value of the school plant—a very small proportion indeed.

The appropriation of \$10,000 for a steam-heating plant made in the act of April 4, 1910, was used just as far as it could possibly be made to go, but was insufficient to complete the system. Experts declare that we secured an unusually good system and an unusual amount of it for the money thus far expended, but the fact remains of its incompleteness. The new system is being operated in an unsatisfactory sort of way in connection with the old; but being different and not of equal efficiency, the old is interfering with the operation of the new. The plant should be completed at the earliest possible date, and the amount asked for is not too much to do it.

MR. BURKE. Have you any information by which you can inform us as to what per cent of the Indians in attendance at this school have a quarter or less Indian blood only?

Commissioner VALENTINE. I have a telegram from the superintendent at Carlisle which gives this information. It is as follows:

COMMISSIONER INDIAN AFFAIRS, *Washington, D. C.*:

Your wire January 20. Number of students with one-fourth Indian blood now at Carlisle, 91; number with less than one-fourth, 28; total enrollment this year, 996.

FRIEDMAN, *Superintendent.*

MR. BURKE. To what extent has the department or your office been excluding children from Indian schools, generally, because the children were more white than Indian?

Commissioner VALENTINE. We have listed this year about a thousand children whom we feel have too little Indian blood, or have ample facilities elsewhere of which they should avail themselves, and that is simply a beginning. We think it will probably run up to two or three times that amount before we get through. We have taken the most obvious cases first, but we have started a very definite campaign in that direction.

MR. BURKE. You have at present the authority, if you wish to exercise it, to deny children who may apply for admission to the Indian schools, especially nonreservation schools, if you so desire, have you not?

Commissioner VALENTINE. I do not know that we could absolutely make any denial stick. We simply are able to use our influence on the general ground that these schools are obviously intended by the Government to be used for the Indian children and not for those who, apparently, by having little Indian blood and facilities elsewhere, lay claim to them, but it would strengthen our policy enormously to have some legislative recognition of it.

MR. BURKE. In case Congress should legislate, how far ought it to go, in your opinion?

Commissioner VALENTINE. I think some such provision as Mr. Meritt drafted here tentatively the other day, which not only made a perfectly reasonable blood limitation, but safeguarded it so that in areas like the Navajo country, for example, it would not work much injustice.

Mr. BURKE. In your judgment, would it be impracticable to determine definitely as to the blood if it was limited to a quarter?

Commissioner VALENTINE. With reasonable accuracy; yes, sir.

Mr. BURKE. Below that there might be some difficulty?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. You think that would reduce the number in attendance at the schools at least a thousand?

Commissioner VALENTINE. I think probably it would reduce it more, because many of these who have been excluded, as I say, have one-sixtieth, one one-hundred-and-twenty-eighth, and one one-hundred-and-sixty-fourth, etc.

The CHAIRMAN. Would it be possible to do away with any of these nonreservation schools if that rule was adopted?

Commissioner VALENTINE. I think that for the present we have probably gone about as far as we should in that direction. You see that we have discontinued a number, and you should keep in mind that there are still upward of 9,000 Indian children without school facilities.

Mr. BURKE. The item estimated for building the heating plant with the appropriation made, I think, for the fiscal year ending June 30, 1911, \$10,000, makes \$17,500. That ought to provide a pretty good heating plant, it seems to me. What have you to say to that?

Commissioner VALENTINE. In the justification there is a statement on that point.

The CHAIRMAN. They have had a heating plant there for many years, in one of the buildings, have they not?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. What is the detailed procedure in order to gain admittance to this Carlisle school?

Commissioner VALENTINE. It is similar to the procedure with regard to the nonreservation schools throughout the country. The reservation superintendents report, according to regulations which are given them, the children on their reservation whom they feel would benefit by going to these more advanced schools, and, as far as practicable, they go to the nearest school, unless they wish to follow some particular line that some particular school may give.

Mr. FERRIS. There is no particular rule of apportionment over the United States, is there?

Commissioner VALENTINE. No, sir; and a great many, of course, are beginning to reach the second generation in the school already, and it is with the Indians as it is with the whites, a good many of them like to go to the schools to which their parents went. I think at the largest schools you will find a great many children of former students.

Mr. FERRIS. Of course there are a great many Indians who can not be admitted to any school. I think you said it was about 9,000?

Commissioner VALENTINE. They have not yet been included.

Mr. FERRIS. I wondered what the procedure was to determine who should be admitted and who should not, in the event that there were more applications than you could take care of.

Commissioner VALENTINE. The general principle followed has been to see that the more necessitous ones, and, without drawing any unfair blood line, to see that the more substantial Indians get the first show. These 9,000 children I speak of are largely in the Navajo country and in the Southwest, and present rather a local than a general problem.

Mr. FERRIS. Where do the bulk of the Indians come from who go to Carlisle?

Commissioner VALENTINE. I do not recall where the bulk of them come from, but they do come very broadly from all over the country.

Mr. FERRIS. Do you have a good many applications each year for Carlisle that you are not able to take care of?

Commissioner VALENTINE. I do not know about that.

Mr. FERRIS. You do not know whether the demand is greater than the capacity?

Commissioner VALENTINE. I think it is fully up to the capacity, if not greater.

The CHAIRMAN. Does it not make quite a difference in the amount of money you spend for transporting these children to and from this school over other schools? It costs a great deal of money to get them to Carlisle, more than it does to the other schools, does it not?

Commissioner VALENTINE. It undoubtedly does cost more for the reason that it is farthest away from the bulk of the Indian country, but the outing system that Carlisle has is its great justification.

The CHAIRMAN. Those that do not take the summer outing with the farmers, according to your system, which is a good one, are not required to go back during vacation, are they?

Commissioner VALENTINE. No, sir. If I recall correctly, you will find about 200 to 250 Indian children at the school and the other 700 out around the country.

The CHAIRMAN. Then the transportation only includes going to and coming from the school when they enter and when they leave the school? You pay their expenses for those two trips only? Is that correct?

Commissioner VALENTINE. I think that would be correct unless they went home for some special reason in the meantime.

The CHAIRMAN. Then the Government would pay their expenses?

Commissioner VALENTINE. I think it would under those circumstances.

The CHAIRMAN. Do you find any difference in the health of the children attending that school and those attending schools nearer home in the West?

Commissioner VALENTINE. I do not think any line could be drawn in that way to really show anything definite, because while it is true that Carlisle is out of the climate of many of the children who go to it, they have very good care there. They have very good medical attendance.

The CHAIRMAN. Do you find any trouble among the students there with reference to homesickness, not wanting to remain in school but to go back home?

Commissioner VALENTINE. I should say that we have less trouble with homesickness at Carlisle than in some of our schools nearer the Indian country.

*Indian school, Pierre, S. Dak., 1913.*

Support, education, etc.....	\$33,500. 00
Repairs and improvements .....	6,000. 00
<b>Total .....</b>	<b>39,500. 00</b>
<b>Total value of school plant.....</b>	<b>\$128,905. 00</b>
Capacity of school.....	158
Enrollment.....	198
Average attendance.....	183
Number of employees .....	21
Total salaries .....	\$14,660. 00
<b>Appropriation, 1911:</b>	
Support, education, etc.....	\$26,550. 00
New building.....	25,000. 00
General repairs and improvements.....	5,000. 00
<b>Total .....</b>	<b>56,550. 00</b>
<b>Expenditures, 1911:</b>	
Administration .....	1,500. 00
Operation .....	31,157. 06
Plant .....	5,723. 92
<b>Total .....</b>	<b>38,380. 98</b>
Cost per capita exclusive of repairs and improvements to plant and new construction .....	164. 94
<b>Appropriation, 1912:</b>	
Support, education, etc.....	32,000. 00
Complete irrigation plant.....	17,000. 00
Complete new building.....	10,000. 00
General repairs and improvements.....	5,000. 00
Support, education, repairs, and improvements (immediately available).....	6,000. 00
<b>Total .....</b>	<b>70,000. 00</b>
Superintendent's estimates for 1913: Absolute necessities.....	54,225. 00

N. B.—Attention is invited to the fact that the new building appropriated for in 1911 was not erected in that year, it being necessary to secure an additional appropriation in order to erect the kind of building desired. The additional appropriation was granted in the appropriation for 1912, hence the discrepancy between the amount appropriated and the amount expended in 1911.

This is a nonreservation school and draws pupils from the Lower Brule, Crow Creek, Cheyenne River, and other reservations in South Dakota. An Indian population of over 19,000 lives within 50 to 100 miles of the school. The school is located within the midst of the Indian country, where all of the children have not as yet school advantages. One hundred and ninety-six children of the Cheyenne River Reservation are not now enrolled in any school. The school is fulfilling a real educational need, and it is believed that it will be needed for at least 10 years to come.

The additional amount of \$1,500 in the support item over the appropriation for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

The increase of \$1,000 in the repair and improvement item over the appropriation for the fiscal year 1912 is required in order to bring the school plant up to a state of efficiency which will permit the accomplishment of better work and the obtaining of more successful results.

Mr. BURKE. This is one of the schools that has a farm, I believe?  
Commissioner VALENTINE. Yes; a very good one.

Mr. BURKE. That produces quite well?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. And yet there does not seem to be any reduction in the cost of maintaining it.

The CHAIRMAN. The next item is:

For support and education of two hundred and fifty Indian pupils at the Indian school, Rapid City, South Dakota, and for pay of superintendent, forty-eight thousand five hundred dollars; for general repairs and improvements, nine thousand dollars; for completion and extension of heating plant, five thousand dollars; in all, sixty-two thousand five hundred dollars.

Commissioner VALENTINE. I should like to submit a justification for that item, which also shows a considerable decrease, as follows:

*Indian school, Rapid City, S. Dak., 1912.*

Fiscal year ending June 30, 1912: Amount appropriated..... \$57,900.00

Also, \$20,000 for buildings and \$10,000 for heating plant in 1912 act.

Fiscal year ended June 30, 1911:

Amount appropriated (\$2,000 of this "1911-1912")..... 52,850.00

Amount expended..... 51,020.75

Unexpended balance..... 1,829.25

Analysis of expenditures:

Employees.....	19,280.52
Construction.....	4,213.52
Repairs and improvements.....	1,513.65
Heat, light, and power.....	7,255.33
Subsistence.....	7,496.72
Dry goods, clothing, etc.....	6,573.82
Hardware, implements, etc.....	1,380.58
Furniture and household goods.....	886.46
Schoolroom supplies.....	266.21
Medical supplies.....	393.26
Forage.....	1,051.29
Traveling expenses.....	10.00
Telephoning.....	97.55
Stationery and office supplies.....	184.64
Miscellaneous.....	417.20

51,020.75

*Indian school, Rapid City, S. Dak., 1913.*

Support, education, etc.....	43,350.00
General repairs and improvements.....	9,000.00
Completion and extension of heating plant.....	5,000.00

Total..... 62,500.00

Total value of school plant..... \$201,700.00

Capacity..... 208

Enrollment..... 283

Average attendance..... 250

Number of employees..... 31

Total salaries..... \$19,580.00

Appropriation, 1911:

Support, education, etc..... 43,350.00

General repairs and improvements..... 7,500.00

Total..... 50,850.00

**Expenditures, 1911:**

Administration .....	\$1, 722. 23
Operation .....	47, 436. 02
Plant .....	19, 010. 83
Total .....	68, 169. 08
Cost per capita, exclusive of repairs and improvements to plant and new construction .....	173. 70

**Appropriation, 1912:**

Support, education, etc .....	51, 900. 00
New girls' dormitory .....	20, 000. 00
Installing central heating plant .....	10, 000. 00
General repairs and improvements .....	8, 000. 00
Total .....	89, 900. 00

**Superintendent's estimates for 1913:**

Absolute necessities .....	56, 900. 00
Urgent needs .....	55, 000. 00
Total .....	111, 900. 00

This is a nonreservation school and is very favorably located with reference to proximity to a large scholastic population. It receives pupils from Montana, South Dakota, and adjoining States, which have a population of at least 30,000 Indians.

Facilities are afforded for teaching both farming by irrigation and dry farming, and the school will be needed for a number of years to come.

The increase of \$1,000 in the repair and improvement item over the appropriation for the fiscal year 1912 is required in order to bring the school plant up to a state of efficiency which will permit the accomplishment of better work and the obtaining of more successful results.

Commissioner VALENTINE. I should add that one of the reasons for the reduction in the enrollment of these schools is that we have put the air space necessary for each child in the dormitory up to 500 cubic feet, in line with our health campaign, so that with the inelastic equipment they had to reduce the space.

Mr. BURKE. There is no difficulty in getting pupils at Rapid City and Pierre. I think it might be well to say that both these schools are located very close to the reservations in the State.

The CHAIRMAN. They are nonreservation schools, are they not?

Mr. BURKE. They are nonreservation schools, but they are near the reservation. They come by team to these schools largely with their children.

I wish to call your attention, Commissioner Valentine, to the cost per capita at Rapid City, \$173.70, as against \$164.94 at Pierre. Pierre has the lesser attendance, and the two schools are located closely together, and the Rapid City school has quite a large farm, a portion of which is irrigated, so that in furnishing us information that we have asked for heretofore, I hope you will take these two schools into consideration.

Commissioner VALENTINE. Yes; we will study that.

The CHAIRMAN. The next item is:

For support of Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota: For pay of five teachers, one physician, one carpenter, one miller, one engineer, two farmers, and one blacksmith (article thirteen, treaty of April twenty-ninth, eighteen hundred and sixty-eight), ten thousand four hundred dollars; for pay of second blacksmith, and furnishing iron, steel, and other material (article eight of same treaty), one thousand six hundred dollars; for pay of additional employees at the several agencies for the Sioux in Nebraska, North Dakota, and South Dakota, eighty-eight thousand dollars; for subsistence of the Sioux, and for purposes of their civilization (act



of February twenty-eighth, eighteen hundred and seventy-seven), three hundred and fifty thousand dollars; *Provided*, That this sum shall include transportation of supplies from the termination of railroad or steamboat transportation, and in this service Indians shall be employed whenever practicable; and additional to the appropriation of three hundred and fifty thousand dollars herein made for the purpose of civilization, and supplemental thereto, there is hereby appropriated the balance of eighty-five thousand five hundred and eighteen dollars and twenty cents from the tribal funds of the Indians on the Cheyenne River and Standing Rock Reservations, in South Dakota and North Dakota, appropriated by section eight of the act of May twenty-ninth, nineteen hundred and eight, which amount belongs exclusively to the Indians on the Cheyenne River Reservation, and to be expended for their benefit; in all, five hundred and thirty-five thousand five hundred and eighteen dollars and twenty cents.

Commissioner VALENTINE. I desire to submit a justification for that item, as follows:

*Support of Sioux of different tribes: Employees, etc., South Dakota.*

Fiscal year ending June 30, 1912: Amount appropriated----- \$100,000.00

Fiscal year ended June 30, 1911:

Amount appropriated----- 100,000.00

Amount expended----- 91,093.99

Unexpended balance----- 8,906.01

Analysis of expenditures:

Employees ----- 90,869.03

Traveling expenses----- 224.96

91,093.99

*Support of Sioux of different tribes: Subsistence and civilization, South Dakota.*

Fiscal year ending June 30, 1912; amount appropriated----- \$350,000.00

Fiscal year ended June 30, 1911:

Amount appropriated----- 350,000.00

Amount expended----- 342,925.87

Unexpended balance----- 7,074.13

Analysis of expenditures:

Employees----- 34,702.62

Construction and repairs----- 4,147.60

Heat, light, and power----- 3,775.45

Subsistence----- 196,956.86

Dry goods, clothing, etc----- 732.49

Hardware, implements, etc----- 4,555.80

Furniture and household goods----- 498.95

Medical supplies----- 2,731.03

Live stock----- 400.00

Forage----- 9,016.34

Transportation of supplies----- 28,800.96

Traveling expenses----- 1,225.80

Telephones----- 6.75

Stationery and office supplies----- 3,193.62

Care and maintenance of pupils in mission schools----- 51,502.90

Miscellaneous----- 678.70

342,925.87

SUPPORT OF SIOUX OF DIFFERENT TRIBES, SUBSISTENCE AND CIVILIZATION.

Amount asked for, \$535,518.20.

This amount is composed of three items, namely, \$100,000 for employees, \$350,000 for the support and civilization of the Indians, and \$85,518.20 from the proceeds of the sale of the Standing Rock and Cheyenne River Reservations.

The salaries paid to the employees at the various agencies administering the affairs of these Indians exceeds the \$100,000 heretofore appropriated, and the support fund is drawn upon to meet this extra expense. There are over 30,000 Indians receiving benefits from this appropriation. The agreement made with these Indians provides that certain rations are to be issued to them, or that they are to be given labor in lieu thereof. The major portion of the \$350,000 heretofore appropriated has been used in purchasing supplies or giving the Indians labor on the reservation for which they are paid. About \$30,000 of the amount is used to pay for the transportation of the supplies to the various reservations.

The proceeds of the sale of the Standing Rock and Cheyenne River Reservations are used entirely for the benefit of these Indians in providing them with necessary agricultural implements, subsistence, hardware, and other materials, through which they are better able to support themselves.

Heretofore this fund has been drawn on mainly to provide for the Indians of the Standing Rock Reservation, and in the division of the original amount appropriated it is found that the Cheyenne River Indians have not received their share. The proposed action is recommended in order to effect a more equitable distribution of this money.

The recommendation for funds for certain of the employees is predicated on the provisions of article 13, treaty of April 29, 1868. For other employees and furnishing iron and steel, see article 8 of the same treaty. The provision for the subsistence and civilization of the Sioux is based on the act of February 28, 1877.

The CHAIRMAN. The next item is:

"For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, \$200,000, to be expended under the agreement with said Indians in section 17 of the act of March 2, 1889, which agreement is hereby extended to and including June 30, 1913."

Commissioner VALENTINE. I wish to submit a justification for that item, as follows:

*Education, Sioux Nation, South Dakota.*

Fiscal year ending June 30, 1912; amount appropriated-----	\$200,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	200,000.00
Amount expended-----	169,919.95
Unexpended balance-----	30,080.05
Analysis of expenditures:	
Employees-----	109,430.45
Construction and repairs-----	10,673.75
Heat, light, and power-----	11,912.47
Subsistence-----	2,015.21
Dry goods, clothing, etc-----	16,584.34
Hardware, implements, etc-----	5,064.81
Furniture and household goods-----	4,020.86
Schoolroom supplies-----	1,109.82
Medical supplies-----	912.08
Live stock-----	425.00
Forage-----	2,570.27
Transportation of supplies-----	62.88
Travelling expenses-----	375.75
Stationery and office supplies-----	1,003.29
Care and maintenance of pupils in mission school-----	3,024.00
Miscellaneous-----	734.97
	169,919.95
For support and maintenance of day and industrial schools among the Sioux Indians-----	200,000.00

This appropriation is to be expended under the agreement with the Sioux Indians in section 17 of the act of March 2, 1889, and is applied to the support and maintenance of the 55 day schools and 5 boarding schools, providing for the education of over 1,800 children.

This fund, together with the appropriation made for subsistence and civilization, provides for the maintenance of 60 plants, the estimated value of which is \$563,524.

The erection and repairs of school buildings necessary is included herein.

Mr. BURKE. For the information of Mr. Ferris I will say that the appropriation for the support of schools among the Sioux has always been carried in a separate item in this part of the bill, because under the treaty of 1889 we were obligated to pay for the education of the Sioux, and that treaty expired, as I recall, in 1909. We have been making the appropriation since by extending the treaty, if you will notice by that language, and it really is a gratuity, the same as the education of other Indians. This is to pay the expenses of the reservation schools generally. There are 20,000 Indians there, and instead of paying it out of the fund that is over further in the early part of the bill, it has been kept here, and I merely make this explanation so you may understand why this item is here.

Commissioner VALENTINE. It would be an item to add to the \$1,400,000 if it were not here in this part of the bill.

Mr. BURKE. There is another reason why I prefer to have it that way. I have to come in contact with my Indians as you do with yours, Mr. Ferris. They complain about things that we do. I call their attention to certain things. For instance, in this case I say to them, "We are giving you \$220,000 that we did not agree to give to you and that we do not have to give to you. It shows that the Government is generous.

Mr. FERRIS. The treaty expired in 1909?

Mr. BURKE. Yes; it was a 20-year treaty.

Mr. FERRIS. And of course now it is a gratuity.

Mr. BURKE. It is a gratuity.

Mr. FERRIS. They have no money in the treasury?

Mr. BURKE. We appropriated for the support of the Cheyenne Indians out of their own money. If you will notice this item here in the first part of the bill, of \$1,400,000, it is for Indians generally. We have not yet gone into the business of charging up education to the separate Indians.

Mr. FERRIS. Yes; I understand that.

The CHAIRMAN. The next item is:

"For subsistence and civilization of the Yankton Sioux, S. Dak., \$14,000."

Commissioner VALENTINE. I wish to submit a justification of that item as follows:

*Support of Sioux, Yankton tribe, S. Dak.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$15,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	15,000. 00
Amount expended.....	13,088. 22
Unexpended balance.....	1,911. 78

## Analysis of expenditures:

Employees	\$9,834.31
Heat, light, and power	4.25
Subsistence	1,520.07
Dry goods, clothing, etc	19.00
Hardware, implements, etc	304.07
Furniture and household goods	70.93
Medical supplies	245.69
Forage	438.59
Telephoning	45.00
Stationery and office supplies	606.31
	<hr/> 13,088.22

## SUPPORT OF SIOUX, YANKTON TRIBES, S. DAK.

Amount asked for, \$14,000.

The superintendent of the Yankton Agency has under his jurisdiction over 1,700 Indians. Of the amount heretofore appropriated nearly \$9,000 is used for paying the salaries of employees. About \$4,000 is used for the purchase of subsistence and supplies to be issued to the Indians, leaving about \$1,000 of the amount asked for to provide for the other needs of the Indians.

The CHAIRMAN. The next item is "For the equipment and maintenance of the asylum for insane Indians at Canton, S. Dak., for incidental and all other expenses necessary for its proper conduct and management, including pay of employees, repairs, improvements, and additions to new buildings, and for necessary expense of transporting insane Indians to and from said asylum, \$45,000, \$15,000 to be immediately available for repairs, improvements, and additions to new buildings.

Commissioner VALENTINE. I wish to submit a justification for that item, as follows:

*Asylum for insane Indians, Canton, S. Dak.*

Fiscal year ended June 30, 1912, amount appropriated----- \$30,000.00

Fiscal year ended June 30, 1911:

Amount appropriated-----	25,000.00
Amount expended-----	20,524.81

Unexpended balance-----	4,475.19
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## Analysis of expenditures:

Employees	10,791.18
Construction and repairs	1,061.30
Heat, light, and power	2,094.32
Subsistence	4,066.88
Hardware, implements, etc	261.80
Dry goods, clothing, etc	406.71
Furniture and household goods	190.20
Medical supplies	172.13
Transportation of supplies	236.64
Traveling expenses	732.34
Telephoning	33.94
Stationery and office supplies	205.88
Miscellaneous	271.99

20,524.81

Also \$25,000 in 1911 act for enlargement and additional equipment, \$3,151.19 of which has been used.

## CANTON, S. DAK., INSANE ASYLUM.

Amount asked for, \$75,000.

For some time the Asylum for Insane Indians at Canton, S. Dak., has been filled to its utmost capacity. A majority of its patients are chronically insane, with a comparatively low mortality, as a result of which the institution is full to overflowing with Indians, for whom there is no hope of cure, but for whose care and maintenance the Indian Office must provide.

Generally speaking, the various State institutions refuse to accept for treatment insane Indians, who as a rule are a menace to other Indians, so that their friends and relatives are, through their agents, constantly importuning the office to provide for their treatment at Canton. The office has been compelled to refuse these requests on account of the lack of accommodation at this institution.

During the present fiscal year this plant has been enlarged, but in order to complete the repairs, improvements and additions thereto \$15,000 additional is requested.

With its increased capacity Canton can accommodate more chronic cases, of which there are many, and will be enabled to care for and treat many acute cases, many of whom are curable when proper treatment is begun in time.

In various other asylums there are incarcerated 30 insane Indians, the most of whom have, at one time or another, been refused admittance to Canton because of its lack of accommodation. The cost of maintaining these Indians is, in a majority of cases, in excess of the pro rata cost of maintenance at Canton.

Recent statistics of the office show 55 Indians receiving no institutional treatment, 20 of whom are receiving no treatment whatever.

Provision should at least be made for the care of these untreated Indians, and the asylum at Canton should be so enlarged as to afford accommodation for them. The added number of patients would materially reduce the cost per patient of keep.

When I was at Canton last year the superintendent felt very much handicapped at not being able to handle curable cases of insanity, and it seems that with an institution such as we already have there it should be more important to take care of curable than chronic cases.

The CHAIRMAN. How many Indians have they at this insane asylum?

Commissioner VALENTINE. As I recall it, when I was there there were about 60 cases. I do not see that it gives the number here.

The CHAIRMAN. Do you take any white people in there?

Commissioner VALENTINE. No, sir.

The CHAIRMAN. Nothing but Indians?

Commissioner VALENTINE. That is correct.

Mr. BURKE. I notice in the statement that you furnish that the cost of maintaining Indians in this institution is less than the cost of maintaining Indians in some instances that are taken care of in other institutions. Is that the case? My recollection is that the cost of maintenance at this institution is very much in excess of insane hospitals as a rule—St. Elizabeth, for instance. Is that not true?

Commissioner VALENTINE. Yes; because of the small number of patients.

The CHAIRMAN. The next item is, "For pay of Indian agent at the Uintah and Ouray Agency (consolidated), Utah, \$1,800."

Commissioner VALENTINE. I desire to submit a justification for that item, as follows:

## PAY OF INDIAN AGENT, UINTAH.

Amount asked for, \$1,800.

While this position has heretofore been filled by an Army officer as acting United States Indian agent, the War Department is making arrangements to withdraw most of the troops from Fort Duchesne, and when that is accomplished it will be necessary to appoint a civilian as superintendent. This item will provide for the compensation of said superintendent.

The CHAIRMAN. The next item is: "For support of Confederate Bands of Utes in Utah: For pay of two carpenters, two millers, two farmers, and two blacksmiths (article 15, treaty of Mar. 2, 1868), \$6,720; for pay of two teachers (same article and treaty), \$1,800; for purchase of iron and steel and the necessary tools for blacksmith shop (article 9, same treaty), \$220; for annual amount for the purchase of beef, mutton, wheat, flour, beans, and potatoes, or other necessary articles of food (article 12, same treaty), \$30,000; for pay of employees at the several Ute agencies, \$15,000; in all, \$53,740."

Commissioner VALENTINE. I have a justification I desire to submit for that item as follows:

*Support of Confederate Bands of Utes: Employees, etc., Utah.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$23, 740. 00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	23, 740. 00
Amount expended.....	22, 955. 22
Unexpended balance.....	784. 78
Analysis of expenditures, employees.....	22, 955. 22

*Support of Confederate Bands of Utes: Subsistence, Utah.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$30, 000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	30, 000. 00
Amount expended.....	24, 164. 35
Unexpended balance.....	5, 835. 65
Analysis of expenditures, subsistence.....	24, 164. 35

SUPPORT OF CONFEDERATED BAND OF UTES IN UTAH.

Amount asked for, \$53,740.

Under date of March 2, 1868, the United States entered into a treaty with the Indians whereby in consideration of the relinquishment of certain lands of these Indians it obligated itself to furnish certain employees and provide Indians with beef and other articles. In the fulfillment of this obligation the sum of \$53,740 should be provided. The sums heretofore appropriated have been expended for the benefit of the Indians.

The CHAIRMAN. The next item is: "For the relief of distress among detached Indians in Utah, and for purposes of their civilization, \$10,000, or so much thereof as may be necessary."

Commissioner VALENTINE. I wish to submit a justification for that item as follows:

*Relief of Indians in Utah, 1911 and 1912.*

Fiscal year ending June 30, 1912, amount appropriated, \$10,000.  
No appropriation for 1911.

FOR THE RELIEF OF DISTRESS AMONG THE INDIANS IN UTAH.

Amount asked for, \$10,000.

The scattered Indians in Utah are being looked after by a special agent of the Indian Office, who has made a preliminary survey of conditions with a view to extending such relief as may be necessary. The Indians, in many instances, have the opportunities, either through farming or other labor, to support themselves, but on account of the lack of necessary equipment and implements are

not in a position to entirely provide for themselves. Furthermore, the children in some places are without the facilities to obtain an education, and it is proposed to assist them in this matter.

An additional appropriation should be provided in order to permit this office to further assist these Indians, so that they will be in a position to support themselves.

The CHAIRMAN. How many of those detached Indians are there?

Commissioner VALENTINE. We have a special agent out there making a study of them now. We have very little information at the present time.

The CHAIRMAN. Are those the Digger Indians that are scattered in bands around Salt Lake?

Commissioner VALENTINE. I suppose some of them are Diggers. We do not know much about that.

The CHAIRMAN. They are in poor condition?

Commissioner VALENTINE. Yes; we have had letters from settlers about it.

The CHAIRMAN. The next item is: "For continuing the construction of lateral distributing systems to irrigate the allotted lands of the Uncompahgre, Uintah, and White River Utes, in Utah, and to maintain existing irrigation systems, authorized under the act of June 21, 1906 (34 Stat. L., p. 375), to be expended under the terms thereof and reimbursable as therein provided, \$75,000."

Mr. MERITT. Mr. Chairman, in support of this item, I would like to submit the following justification:

*Irrigation system, Uintah Reservation, Utah (reimbursable)*

Fiscal year ending June 30, 1912, amount appropriated.....	<u>\$75,000.00</u>
Fiscal year ended June 30, 1911:	
Unexpended balance June 30, 1910.....	53,083.73
Amount appropriated.....	<u>75,000.00</u>
	128,083.73
Amount expended.....	<u>71,622.54</u>
Unexpended balance.....	<u>56,461.19</u>
Analysis of expenditures:	
Employees.....	56,228.66
Material.....	2,213.91
Hardware, equipment, etc.....	2,460.59
Forage.....	8,144.03
Traveling expenses.....	1,258.85
Heat, light, and power.....	293.82
Stationery and office supplies.....	646.41
Miscellaneous.....	<u>376.27</u>
	71,622.54

*Uintah, Utah.*

Number of Indians.....	1,202
Irrigable area under ditch.....	acres 75,000
Irrigable area under project, approximate.....	do 100,000
Irrigable area cultivated by Indians.....	do 6,500
Irrigable area cultivated by lessees.....	do 4,620
Expended on construction to July 1, 1911.....	\$652,256.79
Estimated to complete.....	\$158,896.91
Cost per acre when complete, estimated.....	\$8
Value of land when irrigated.....	\$40 to \$100

## IRRIGATION SYSTEMS, UINTAH RESERVATION, UTAH (REIMBURSABLE).

For continuing the construction of lateral distributing systems, and for maintenance of the existing irrigation systems, reimbursable, \$75,000; \$750,000 previously appropriated, and \$740,544.57 expended on this reservation for irrigation work, of which \$652,256.79 was for construction work and \$23,614.13 on maintenance of this project, which will require \$153,896.91 to complete. The project when completed will irrigate 98,360 acres. At present over 75,000 acres have been made irrigable.

The Indian bill as prepared for 1913 contains an item of \$75,000 for this project.

Approximately three-quarters of a million dollars will have been expended on this project by July 1, 1912, and main canal systems will have been completed covering over 75,000 acres of Indian allotments. Many thousands of acres yet remain to be covered with lateral distributing systems, and it is unwise to build these far in advance of the demand. I estimate that \$50,000 will meet the requirements for such construction during the fiscal year 1913; and the remaining \$25,000 will be needed for the maintenance and operation of the large system.

The Indians of the former Uintah Reservation now have prior rights to water in the various streams, which can only be secured to them in perpetuity through actual beneficial use. The preservation of such rights is essential to the future welfare of their tribe, whether the Indians personally farm their allotments, lease them to whites, or sell the inherited lands. The construction of distributing ditches, as needed, and the proper maintenance of the canal systems, are the only means whereby the Utes can be given opportunity to realize maximum returns from their present large holdings of irrigable lands and water rights.

The CHAIRMAN. I see you use the words "for continuing the construction of lateral distributing systems." Have you already a system inaugurated?

Mr. MERITT. We have a system on that reservation that has cost about \$650,000 up to July 1, 1911, and it is estimated it will require about \$150,000 to complete this system, and this item is for continuing the construction of the lateral distributing systems on the reservation.

The CHAIRMAN. I do not quite understand the meaning of the term "system." Does that mean lateral ditches or main ditches?

Mr. MERITT. That is a part of the system; yes, sir.

The CHAIRMAN. Then would that include tributary lakes to impound water from the main dam?

Mr. HOLT. Mr. Chairman, I have a map here that shows about the conditions now. These different canals have been constructed in some cases the laterals. Now, here, no laterals have been constructed, and we have not found it feasible nor economical to build these laterals until the Indians are ready to take the water, because they drift up with sand and have to practically build again. It is intended now to construct these laterals so that Indians may receive waters at the highest point of this allotment, and put the water in beneficial use. The main ditches are practically completed.

The CHAIRMAN. Is it contemplated or would it permit the building of a new unit for taking water from any other stream?

Mr. HOLT. No units are contemplated—merely to construct the laterals in under other units, and where necessary to replace timber structures possibly by concrete.

The CHAIRMAN. What is the condition of these Indians here as to having funds reimbursable, or what is the value of their lands?

Mr. MERITT. They have some funds, but I do not think they have any cash available for the work at this time.



The CHAIRMAN. Have they any timber?

Mr. MERITT. They have some timber out there. It is so far removed from a railroad that the timber could not be sold.

The CHAIRMAN. They could not market it at the present time on that account?

Mr. MERITT. No, sir.

Mr. HOLT. Mr. Chairman, the matter was looked up about a year ago by the engineer in charge, and at that time the lands had been disposed of, but possibly funds not received to any extent; but the amount that would be available from the lands already sold would care for the construction of this project. In addition to that provision in the original act it provides that when the Indians become self supporting within 30 years they are to pay any difference that there may be between the amount received from the sale of the land and the cost of the project.

The CHAIRMAN. When is the expiration of that 30 years? When was that contract entered into?

Mr. HOLT. That was about 1906.

Mr. FERRIS. Did they make it a lien on their allotments?

Mr. HOLT. No.

Mr. FERRIS. They have but a mere promise on the part of the Indians?

Mr. HOLT. A promise.

Mr. MERITT. We have an important problem on this reservation in connection with making beneficial use of the water. Congress has unfortunately put an item in a bill which makes it necessary for the Indians to make beneficial use of this water in accordance with the laws of the State, and if they do not make beneficial use of it within the prescribed time the white settlers—known as the “junior appropriators,” being the white people who have gone in there and bought the surplus land—may be able to get the water which is now being provided for the Indians. We are making every effort to put this land to beneficial use, and also asking the State authorities to extend the time in which the beneficial use may be made of this water.

The CHAIRMAN. This system we have inaugurated and appropriated this money for, would not that be regarded as preright by the Indians?

Mr. MERITT. Not under the State laws.

The CHAIRMAN. I believe that was all, was it not?

Mr. BURKE. We have one or two in Wyoming. I want to ask one or two questions. Mr. Meritt, the estimate shows, to complete this project, \$153,896.91?

Mr. MERITT. Yes, sir.

Mr. BURKE. And in asking for \$75,000, as you do this year, do you mean that that is to be charged up to this \$153,000 that you say is necessary to complete it, or is part of that for maintenance, and therefore, you will revise these figures next year and be wanting an additional amount to complete the project? To make myself clear, if we appropriate \$75,000 now, do you think that will be sufficient to complete it and maintain it for the next fiscal year following the one for which we are now making the appropriations?

Mr. MERITT. I believe we will have to ask for several years to come for appropriations to maintain this project.

Mr. BURKE. What I want to find out is if this \$75,000—how much of that is to be used for construction work, of the amount estimated to complete the project. I think your statement shows \$50,000?

Mr. HOLT. \$50,000 the statement shows; yes.

Mr. MERITT. \$50,000 for construction and \$25,000 for maintenance and operation.

Mr. BURKE. Then there would still be required, according to the figures that you now submit, \$153,896.91 to complete the project?

Mr. MERITT. Yes, sir.

The CHAIRMAN. Is there any reason at present in your mind that that will not complete the project and we will have to enlarge it?

Mr. MERITT. No, sir; the project is practically completed now, except a few laterals that are necessary to be constructed.

Mr. BURKE. Then, it is your judgment that the limit of cost as now estimated will not be increased materially, if at all?

Mr. MERITT. No, sir; but it will be necessary to ask for appropriations to maintain the system.

The CHAIRMAN. Is not that the case with all the systems which you have—you have to have a maintenance fund in each instance?

Mr. MERITT. Yes, sir.

The CHAIRMAN. There might be breaks in the ditches and laterals and so forth?

Mr. HOLT. I believe in regard to the Flathead the law provides that the Indians shall pay that maintenance after the project is completed.

The CHAIRMAN. The next item is "For support and education of 120 Indian pupils at the school at Hampton, Va., \$20,040."

Commissioner VALENTINE. I desire to submit a justification for that item, as follows:

*Indian School, Hampton, Va.*

Fiscal year ending June 30, 1912, amount appropriated.....	\$20,040.00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	20,040.00
Amount expended.....	9,439.28
Unexpended balance.....	10,600.72

**Analysis of expenditures:**

Care and maintenance of pupils..... 9,439.28

Claim for fourth quarter, 1911, for \$3,122.07 not yet settled, which will reduce the balance to \$7,478.65.

Indian School, Hampton, Va., \$20,040.

This is to provide for support and education of 120 Indian pupils in Hampton Normal and Agricultural Institute, Hampton, Va., at \$167 per pupil, paid under an annual contract with the school authorities.

This allowance per pupil is moderate under present conditions, and especially in view of the valuable industrial training which they receive and which is expensive to the school.

Capacity (for Indian pupils), 150; enrollment of Indian pupils in 1911, 83.

The CHAIRMAN. Can you furnish us with some data showing when this arrangement was made between the United States and the State

of Virginia, and whether we are bound in any way to continue this school in its present condition?

Commissioner VALENTINE. Arrangements were first made in 1878 for placing a few Indian students at Hampton.

The arrangement was effected by Capt. R. H. Pratt, United States Army, then in charge of a number of Indian prisoners of war at St. Augustine, Fla. These prisoners were about to be returned to their homes, when some of them expressed a desire to remain in the East and go to school. Seventeen of the party remained and Capt. Pratt made arrangements with Gen. S. C. Armstrong, then principal at Hampton, Va., to receive the Indians for both literary and industrial instruction.

This was the beginning of Government Indian education work. The results of this experiment—for at least it was only an experiment—were so gratifying from every point of view that Capt. Pratt a little later started the Carlisle School, exclusively for Indians.

The Hampton Institute is a nonsectarian school. The trustees thereof represent about six different religious denominations, but no one denomination has a majority in the board of trustees. Under the control of no sect, the work and spirit of the school are actively and earnestly Christian.

It is believed that the Indians are generally taught by white instructors, though it may be possible that negroes are occasionally detailed to teach for short periods of time.

The office understands that they are not kept in the same dormitories with the negro children; that separate dormitories are provided for the Indians.

The CHAIRMAN. Is it considered better than Carlisle for that purpose?

Commissioner VALENTINE. I think it has been, and for that particular purpose I think it still is.

The CHAIRMAN. How do you find the conditions there with respect to educating the two races together? Is there any friction?

Commissioner VALENTINE. None whatever.

The CHAIRMAN. Under what control or management is this institution?

Commissioner VALENTINE. I am not perfectly certain, but I think it is a private institution.

The CHAIRMAN. Is it incorporated under the laws of any State?

Commissioner VALENTINE. I think it is a private institution.

The CHAIRMAN. Is it run under the auspices of any church or society?

Commissioner VALENTINE. It is nonsectarian.

Mr. FERRIS. What two races go there?

Commissioner VALENTINE. Eighty-three Indians and a large number of negroes—many hundreds.

Mr. FERRIS. Is this a State negro school?

Commissioner VALENTINE. No; a private institution.

Mr. FERRIS. How many Indian children are educated there?

Commissioner VALENTINE. I think about 83. I think they have capacity for about 150 Indian children, and I would like very much to see it filled up to that capacity.

Mr. FERRIS. Is not that a very unusual thing to educate Indian children with negro children?

Commissioner VALENTINE. That is the only case of the kind in the country, but Hampton has turned out some of the very best Indian workers in the whole service.

Mr. FERRIS. What character of Indians are these that attend there?

Commissioner VALENTINE. They come from all over the country.

Mr. FERRIS. Do they go to the school voluntarily?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. How long has that been going on?

Commissioner VALENTINE. For a generation at least, I think.

The CHAIRMAN. Do you have any control whatever over that school?

Commissioner VALENTINE. Only as we have over any other contract school.

The CHAIRMAN. What is the cost per capita?

Commissioner VALENTINE. I think it is at the old rate of \$167.

The CHAIRMAN. Do you have both male and female students there?

Commissioner VALENTINE. Yes, sir.

The CHAIRMAN. In about what proportion?

Commissioner VALENTINE. I do not know that.

Mr. FERRIS. Do they occupy the same dormitory as the negro children?

Commissioner VALENTINE. They are separate.

Mr. FERRIS. They have separate dormitories, but they have the same classrooms and the same education?

Commissioner VALENTINE. They have the same facilities otherwise in every way.

Mr. FERRIS. Do they have negro teachers?

Commissioner VALENTINE. Some.

Mr. FERRIS. Some white and some negro?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Are there no white institutions there or Indian schools that these pupils could be placed in other than this negro school?

Commissioner VALENTINE. There would be no point in their going to other schools, because there would be white schools or Indian schools in their own section of the country, do you not see? Just how the Indian department at Hampton originated I do not know. As I say, it has turned out in the past some of the best students that we have had, both men and women.

Mr. FERRIS. Does it not strike you as a matter of policy that it ought to be stopped? These Indian children ought to be taught, as much as they can, to associate with a superior race rather than an inferior one.

Commissioner VALENTINE. I think it should be judged on the lines of what they actually accomplish.

The CHAIRMAN. The next item is "For support and civilization of the D'Wamish and other allied tribes in Washington, including pay of employees, \$7,000."

Mr. MERITT. In support of that item I desire to submit a justification as follows:

*Support of D'Wamish and other allied tribes in Washington.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$7,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	7,000.00
Amount expended-----	6,343.61
Unexpended balance-----	656.39
Analysis of expenditures:	
Employees-----	4,815.67
Heat, light, and power-----	188.00
Dry goods, clothing, etc-----	7.81
Hardware-----	38.76
Medical supplies-----	529.15
Forage-----	750.44
Stationery and other office supplies-----	18.48
	6,343.61

Amount asked for, \$7,000.

Under the jurisdiction of the superintendent of the Tulalip Agency are over 1,500 Indians, scattered over five reservations, somewhat distant from one another. Over \$5,300 is expended for the payment of clerk hire for the benefit of these Indians. The remainder has been expended largely for the purchase of stock and forage for the teams for the benefit of the Indians.

The CHAIRMAN. The next item is "For support and civilization of the Makahs, Washington, including pay of employees, \$2,000."

Mr. MERITT. I wish to submit a justification for that item, as follows:

*Support of Makahs, Washington.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$2,000.00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	2,000.00
Amount expended-----	1,851.57
Unexpended balance-----	148.43
Analysis of expenditures:	
Employees-----	540.00
Heat, light, and power-----	4.96
Subsistence-----	642.06
Hardware, implements, etc-----	172.38
Medical supplies-----	114.91
Live stock-----	175.00
Forage-----	187.50
Stationery and office supplies-----	14.33
	1,851.57

Amount asked for, \$2,000.

There are over 400 Indians of this tribe under the jurisdiction of the superintendent of the Neah Bay Agency. Nearly \$600 of the amount appropriated is used for the payment of salaries and the remainder for the purchase of subsistence, hardware, forage, medical supplies, etc., for the benefit of the Indians.

The CHAIRMAN. The next item is "For support and civilization of the Qui-nai-elts and Quil-leh-utes, including pay of employees, \$1,500."

Mr. MERITT. I wish to submit a justification for that item, as follows:

*Support of Qui-nat-elts and Quil-leh-utes, Washington.*

Fiscal year ending June 30, 1912: Amount appropriated-----	<u>\$1,000</u>
Fiscal year ended June 30, 1911:	
Amount appropriated-----	1,000
Amount expended-----	<u>1,000</u>
Analysis of expenditures: Employees-----	1,000

Amount asked for, \$1,500.

Five hundred dollars of the amount heretofore appropriated has been used for the payment of clerk hire at the Cushman Agency, and the remainder has been used for the purchase of such articles of subsistence, hardware, etc., as may be for the best interest of the Indians.

The \$500 additional will be needed for clerk hire due to the allotment of lands to these Indians.

The CHAIRMAN. The next item is:

For support and civilization of Yakimas and other Indians at Yakima Agency, including pay of employees, three thousand dollars.

Mr. MERITT. I wish to submit a justification for that item, as follows:

*Support of Yakimas and other Indians, Washington.*

Fiscal year ending June 30, 1912: Amount appropriated-----	<u>\$3,000.00</u>
Fiscal year ended June 30, 1911:	
Amount appropriated-----	5,000.00
Amount expended-----	<u>4,762.82</u>
Unexpended balance-----	<u>237.18</u>
Analysis of expenditures:	
Employees-----	2,924.04
Heat, light, and power-----	315.02
Subsistence-----	367.72
Hardware, implements, etc-----	107.24
Furniture and household goods-----	12.19
Medical supplies-----	221.75
Forage-----	652.29
Stationery and office supplies-----	102.57
Rent-----	<u>60.00</u>
	4,762.82

SUPPORT OF YAKIMAS AND OTHER INDIANS IN WASHINGTON.

Amount asked for \$3,000.

Under the jurisdiction of the Yakima Agency are over 2,000 Indians, and this sum is requested to provide them with subsistence, hardware, farming implements, medical supplies, and other articles required for their support and civilization.

The CHAIRMAN. The next item is:

For support and civilization of Indians at Colville, Spokane, and Puyallup Agencies, Washington, for pay of employees, and for purchase of agricultural implements, and support and civilization of Joseph's Band of Nez Perce Indians in Washington, eighteen thousand dollars.

Mr. MERITT. In support of that item I wish to submit a justification, and a separate justification for Joseph's Band of Nez Perce Indians, as follows:

*Support of Indians of Colville and Puyallup Agencies, Wash.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$12,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	12,000. 00
Amount expended-----	11,905. 89
Unexpended balance-----	94. 11
Analysis of expenditures:	
Employees-----	6,703. 10
Heat, light, and power-----	502. 61
Subsistence-----	1,131. 04
Hardware, implements, etc-----	787. 61
Furniture and household goods-----	161. 81
Live stock-----	80. 69
Forage-----	1,402. 42
Traveling expenses-----	413. 99
Stationery and office supplies-----	710. 82
Miscellaneous-----	11. 80
	11,905. 89

SUPPORT OF INDIANS, COLVILLE, SPOKANE, AND PUYALLUP AGENCIES.

Amount asked for \$18,000.

This item is a combination of a similar provision of \$12,000, a provision for the support of Joseph's Band of Nez Perce Indians of \$1,000, and an additional amount of \$5,000 for the support of the Spokanes.

Under the jurisdiction of the superintendent of the Colville and Puyallup Agencies are over 4,000 Indians. Of the amount asked for over \$7,000 is used for salaries, \$1,000 for providing subsistence and other articles to Joseph's Band, and the remainder for taking care of such needs of the Indians as may arise, in addition to providing fuel and light for the agency office, forage for the stock, etc.

The work of the Colville Agency has increased to such an extent that the Indian Office has found it necessary to recently create a new superintendency at Spokane, Wash., to take over a part thereof. In the last appropriation act Congress provided for the sale of lands, etc., of the old Fort Spokane military reservation, and the use of a portion of the proceeds for the administration of affairs as may be required by the Colville and Spokane Indians. The sum of \$35,000 which has been designated as the amount to be used will be needed for the erection of suitable quarters, offices and outbuildings at the new superintendency, and the \$5,000 asked for herein in addition to the amounts heretofore appropriated will be needed to administer the affairs of the Indians at the new superintendency.

*Support of Nez Perce, Joseph's Band, Washington.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$1,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated-----	1,000. 00
Deficiency-----	145. 39
Amount expended-----	1,145. 39

## Analyses of expenditures:

Subsistence .....	\$295. 19
Dry goods, clothing, etc. ....	35. 50
Hardware, implements, etc. ....	368. 95
Furniture and household goods .....	15. 45
Medical supplies .....	107. 80
Forage .....	307. 50
Stationery and office supplies .....	15. 00

1,145. 39

Mr. BURKE. I desire to ask a question in regard to the Colville Indians. Have they not moneys in the Treasury to their credit?

Commissioner VALENTINE. They had a large fund of over a million dollars.

Mr. BURKE. Will you examine that treaty and ascertain definitely whether or not the treaty is so restricted that we could not use from the moneys belonging to these tribes the amount necessary for administrative purposes.

Commissioner VALENTINE. I will do that.

Mr. FERRIS. And the fact that their moneys had been capitalized and placed to the individual credit, would that take them out of the scope of this rule, to have them pay their expenses when they had money?

Commissioner VALENTINE. This was a judgment of the Court of Claims based on some treaty provisions in all probability, but it would not take it out of the general principles which were laid down yesterday in relation to those treaty provisions.

Mr. FERRIS. The mere fact that the money was held individually rather than collectively would be no reason why, would it?

Commissioner VALENTINE. Except that it would be difficult to do it after the distribution had been made. A certain segregation, such as is proposed, of the funds in the Treasury should be made first for administrative purposes and then the balance divided among the individuals.

Mr. FERRIS. Did you, or did you not, under this judgment of the Court of Claims, distribute all the money?

Commissioner VALENTINE. I think all the money is distributed or is in process of being put in banks.

Mr. FERRIS. Nothing was reserved for agency expenses?

Commissioner VALENTINE. No; they existed before this policy became effective.

Mr. BURKE. In this item is included "support and civilization of Joseph's Band of Nez Perces Indians in Washington." They are not part of the other tribes named in the paragraph, are they?

Commissioner VALENTINE. No; they are Indians that came from Idaho, and they have been on the Colville Reservation for a good many years.

Mr. BURKE. They are under the jurisdiction of the superintendent at Colville?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. Then, so far as the amount of money necessary for their support and civilization is concerned, the Colville Indians would not be expected, of course, to pay any part of that?

Commissioner VALENTINE. I should say no. They would be an object of gratuity appropriation.



Mr. BURKE. How about the Puyallup Indians? Are those Colville Indians?

Commissioner VALENTINE. No, sir; the Puyallup Indians live at various agencies which are tributary to the Puyallup Indian school at Tacoma.

Mr. BURKE. They are Indians without lands or moneys, are they not—that is, to any extent?

Commissioner VALENTINE. To an extent. I think they have some lands in connection with the Puyallup school which are quite valuable.

The CHAIRMAN. I should like to ask why it was found necessary to add \$5,000 to this general appropriation.

Commissioner VALENTINE. The Colville agency has up to the present time been under the superintendent whose headquarters have been at Fort Spokane, a point very near the junction of the Colville agency with the old Spokane Reservation and agency. In addition, that superintendent has also had charge of scattered bands of Indians, some of them known as the Moses agreement allotments in that section of the country, and quite a large number of Indians are there. It is in a valley perhaps 50 or 60 miles east of the Colville Reservation. So it has been proposed by the Indian Office to divide this large territory, which is far more than one man can properly cover, and have a separate agency on the Colville Reservation, which is a great big reservation, nearly the size of the State of Massachusetts.

The CHAIRMAN. I see the increase is put on wrong. It is \$13,000 over last year and it should be \$12,000. It makes an increase of \$6,000. Is that for the pay of employees?

Commissioner VALENTINE. That is to enable us to establish an agency in the middle of the Colville Reservation.

The CHAIRMAN. In the establishment of another agency, what do you estimate for the buildings?

Commissioner VALENTINE. There will not be very much required for buildings. There are fair quarters, but there is need for an office building, and there will be a need for a few more employees, of course, because the others will be needed at the old point.

Mr. BURKE. Has the land been sold at the Fort Spokane Reservation?

Commissioner VALENTINE. No, sir.

Mr. BURKE. You are authorized to sell the land and use the proceeds to the extent of \$35,000 for new buildings?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. That has not been done yet?

Commissioner VALENTINE. No, sir.

Mr. BURKE. Is that the new agency you are talking about now?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. Until that land has been sold and the buildings erected, and the agency established, do you need the administrative force?

Commissioner VALENTINE. Yes; because I think the segregation should be made at once, and the administrative force placed under the best conditions possible. It is very important to make that segregation at an early date.

Mr. FERRIS. The proceeds from the sale of this military reservation, \$45,000 of which was given to the Indians, was a gratuity to the Indians, was it not?

Commissioner VALENTINE. I do not think so.

Mr. FERRIS. I gather from the memorandum in the justifications it says in the last appropriation act Congress provided for the sale of lands, etc., at the old Fort Spokane military reservation, and the use of a portion of the proceeds for the Spokane Indians, the sum of \$35,000, which has been designated as the amount to be used for the erection of suitable quarters.

Mr. BURKE. When we found that item in conference that they were permitted to use all the proceeds from the sale of that land, we limited it to \$35,000. It is in the nature of a gratuity.

Commissioner VALENTINE. The War Department turned that reservation over to the Indian Office.

Mr. BURKE. It has been used rather in conjunction with the Indian Office. While they did not own it, they thought they did.

Mr. FERRIS. In the early part of this hearing, Mr. Commissioner, I believe you stated their money had all been capitalized and divided so that you had no community funds with which to pay their operating expenses.

Commissioner VALENTINE. Segregated. It has not all been distributed.

Mr. FERRIS. You said that it was distributed or in the process of distribution.

Commissioner VALENTINE. Yes; placed in local banks.

Mr. FERRIS. So you did not feel that any of it was available for agency expenses? Do you think it advisable to create another agency, and the corresponding expense that goes with it, so long as they have no money with which to maintain it, and it must be provided for out of the Federal Treasury?

Commissioner VALENTINE. I think so, unless it is not too late to back track somewhat on that general fund, provided the treaty runs out, and use that for those purposes. These Indians will need just the same sort of provision as the Kiowa and Comanche Indians or the Rosebud Indians.

Mr. FERRIS. Are they as backward as the Kiowas and Comanche Indians?

Commissioner VALENTINE. I do not think quite so. They have not had as much money in the past nor had as much done for them.

Mr. FERRIS. How many Indians are there at Colville agency?

Commissioner VALENTINE. Two thousand seven hundred and sixty-seven, including the Puyallup Indians.

Mr. FERRIS. Is that too many for one agency to administer upon?

Commissioner VALENTINE. It is, if he has in addition another reservation and a lot of scattered bands of Indians.

Mr. FERRIS. What Indians has he besides the Puyallup Indians?

Commissioner VALENTINE. The Spokane Reservation.

Mr. FERRIS. What is the total number of those altogether now under the Colville Agency?

Commissioner VALENTINE. They are evidently included here in this figure of 2,700, which I gave you. It does not show here in a way that I can tell you how many Indians there are on the Colville

Reservation. The Spokane Tribe, numbering 504, probably live there, but whether these other small bands live there also I am not sure.

Mr. FERRIS. Your statement in the justification is that under the superintendent there are 4,000 Indians at Colville and Puyallup Agencies—that is, two agencies.

Commissioner VALENTINE. Yes; but they are already under a separate superintendent.

Mr. FERRIS. Now it is proposed to establish another one at Spokane?

Commissioner VALENTINE. No, sir; on the Colville Reservation. There is no agency on the Colville Reservation at all.

Mr. FERRIS. What is this Colville Agency?

Commissioner VALENTINE. That is the Colville Reservation. The Colville Agency, so called, is on Fort Spokane Military reservation, which is off the Colville Reservation.

Mr. FERRIS. What I am trying to get at is what is the total number of Indians on these combined agencies in the State of Washington, included under this item.

Commissioner VALENTINE. Included under this Colville item, I think the total number of Indians would be about 2,700.

Mr. FERRIS. It is not necessary to have three agencies to take care of 2,700 Indians, is it?

Commissioner VALENTINE. No; the proposition is to have two agencies to take care of them. The statement is confusing, because the Puyallup Indians are included in this justification, whereas they should not be.

Mr. MERITT. In connection with this Spokane matter, I should like to call your attention to Document No. 205, Sixty-second Congress, second session, reporting on the disposition of the old Spokane military buildings.

The CHAIRMAN. Mr. Meritt, I see there is a mistake in the figures here—the increase should really be \$6,000, instead of \$5,000.

Mr. MERITT. Mr. Chairman, Congress appropriated in a special item last year \$1,000 for the Joseph's Band of Nez Perces Indians, and we are consolidating that item in this year's bill with the Colville item. Therefore, the total amount appropriated last year is \$13,000, \$12,000 for the Colville and Puyallup Indians, and \$1,000 for Joseph's Band of Nez Perces Indians.

Mr. BURKE. Then the figures given in the justification that the increase is only \$5,000 is correct?

The CHAIRMAN. Then is the total, \$13,000, correct?

Mr. MERITT. The totals are correct.

Mr. BURKE. Was the brick pavement authorized to be constructed in last year's appropriation at Cushman School in Tacoma constructed?

Mr. MERITT. It was authorized to be constructed. I do not know whether the work has been completed, but I think probably it has been.

Mr. BURKE. You do not know how much was expended, do you?

Mr. MERITT. No, sir.

The CHAIRMAN. You would have nothing to show that until the reports were made, would you?

Mr. MERITT. No, sir.

Mr. BURKE. The bill also authorized the Secretary of the Interior last year to investigate and report to Congress relative to the necessity or advisability of constructing wagon roads on the Yakima Reservation. Has there been a report submitted?

Commissioner VALENTINE. That report has been submitted.

Mr. BURKE. Will you give us a reference to it so that we may know what it is?

Mr. MERITT. I have the report here. It is House Document No. 383, Sixty-second Congress, second session. The Indians oppose that appropriation.

The CHAIRMAN. The next item is:

For support of Spokanes in Washington (article six of agreement with said Indians, dated March eighteenth, eighteen hundred and eighty-seven, ratified by act of July thirteenth, eighteen hundred and ninety-two), one thousand dollars.

Mr. MERITT. That is a treaty item and in support I desire to submit the following justification:

*Support of Spokanes, Washington.*

Fiscal year ending June 30, 1912: Amount appropriated.....	<u>\$1,000.00</u>
Fiscal year ended June 30, 1911:	
Amount appropriated.....	2,000.00
Analysis of expenditures: Employees.....	<u>502.66</u>
Unexpended balance,.....	<u>1,497.34</u>
Analysis of expenditures: Employees.....	<u>502.66</u>

*Fort Spokane Military Reservation (Colville, Washington).*

Number of pupils of school age on reservation.....	269
Number of pupils of school age physically, mentally or otherwise ineligible..	27
Number of pupils provided for.....	115
Number of pupils unprovided for.....	127
Number of schools in reservation.....	9

*Support of Spokanes in Washington.*

Amount asked for, \$1,000.

This is for the purpose of fulfilling an obligation on the part of the United States to the Indians in accordance with the treaty of March 18, 1887. This sum has been expended for the benefit of these Indians by paying for clerk hire and furnishing articles of subsistence, etc.

The CHAIRMAN. The next item is "for extension and maintenance of irrigation systems on lands allotted to the Yakima Indians in Washington, \$15,000, reimbursable in accordance with the provisions of the act of March 1, 1907." You have your justification on page 352.

Mr. MERITT. I would like to submit the following justification for this item, Mr. Chairman:

*Irrigation, Kakima Reservation, Wash. (reimbursable).*

Fiscal year ending June 30, 1912: Amount appropriated.....	<u>\$15,000.00</u>
Fiscal year ended June 30, 1911:	
Amount appropriated.....	15,000.00
Amount expended.....	<u>14,875.14</u>
Unexpended balance.....	<u>124.86</u>

## Analysis of expenditures:

Employees .....	12, 414. 00
Material .....	579. 05
Hardware, equipment, etc. ....	862. 54
Forage .....	221. 07
Transportation of supplies .....	72. 86
Traveling expenses .....	- 484. 15
Stationery and office supplies .....	171. 84
Office rent .....	106. 33
Miscellaneous .....	13. 80

14, 875. 14

*Yakima, Wash.*

Number of Indians .....	2, 879
Area now irrigated:	
White lessees .....	acres 27, 000
Indians .....	acres 5, 000
Cost per acre when complete .....	\$38
Expended to July 1, 1911 .....	\$265, 413
Total area under project .....	acres 114, 000
Value per acre when irrigated .....	\$100 to \$300

*Irrigation, Yakima Reservation, Wash., reimbursable.*

For extension and maintenance of the irrigation system on lands allotted to the Yakima Indians..... \$15, 000

The sum of \$90,006.49 has been appropriated for this work. This amount was appropriated in small annual appropriations in order to preserve the water rights of the Indians under the State laws, pending the construction of the Wapato project.

There have been expended \$265,413.35 on irrigation on this reservation, and 30,000 acres are now under ditch. It is estimated that it will take \$4,309,000 to complete this project, which will irrigate over 114,000 acres of land. These estimates, prepared by the Reclamation Service, include payment to the Indian Service of the amounts heretofore expended.

The CHAIRMAN. When was this system inaugurated?

Mr. MERITT. They have been doing some irrigation work out there for a number of years.

The CHAIRMAN. Is it all one system—under one unit, as I understand it.

Mr. MERITT. \$90,000 has been appropriated heretofore for this work.

The CHAIRMAN. Have there been plans of this system approved by the Secretary of the Interior—have there been surveys made and the regular plan and system inaugurated and laid out?

Mr. MERITT. This irrigation work on the Yakima Reservation was begun prior to the passage of that bill which required that hereafter plans should be submitted.

The CHAIRMAN. It was before 1910 then?

Mr. MERITT. Yes, sir.

The CHAIRMAN. It was begun under the old law where they could start a small project and enlarge it at will?

Mr. MERITT. Yes, sir.

The CHAIRMAN. When this project was started was there any estimate made of the cost of it when completed?

Mr. MERITT. The Reclamation Service has a plan now for an irrigation system out there that will cost about \$4,000,000 to complete it.

The CHAIRMAN. How much of that would be Indian lands?

Mr. HOLT. I believe the Indians have been allotted something over 100,000 acres. This map [indicating] shows the land allotted that is colored, and it also shows the proposed ditch, part of which has been constructed, around here and covering that area.

The CHAIRMAN. For white persons?

Mr. HOLT. That is all allotted. The whites have all in there [indicating], and under the Jones bill they could purchase 80 acres of each allotment, but very few Indians have sold, and this \$4,000,000 estimated by the Reclamation Service was also to reimburse the Indians for the amount expended on the work up to date.

The CHAIRMAN. How many Indians have you there on the Yakima Reservation?

Mr. MERITT. One thousand nine hundred Indians on the Yakima Reservation.

The CHAIRMAN. How much land is there in the reservation, the total reservation?

Mr. MERITT. On the Yakima, unallotted, about 837,000 acres, according to this report.

The CHAIRMAN. How much has been allotted?

Mr. MERITT. Around 255,000 acres allotted to 2,823 Indians.

The CHAIRMAN. What is the value of the unallotted land per acre; just an estimate.

Mr. MERITT. The unallotted land is very valuable, provided we have sufficient water to irrigate it. The Yakima Indians have been awarded, I believe, 147 second-feet out of the Yakima River, and this is not sufficient to irrigate all of the irrigable land on the reservation.

The CHAIRMAN. Are they irrigating any part of it?

Mr. MERITT. Yes, sir.

Mr. HOLT. Over 30,000 acres.

The CHAIRMAN. And how much more irrigable land is there which could be sold?

Mr. HOLT. About 90,000 acres of irrigable, which is allotted to the Indians, and very little irrigable land that could be sold. As I understand, it is mostly grazing and timber land.

The CHAIRMAN. What is it estimated to be worth, take the grazing lands?

Mr. HOLT. They vary from \$4 to \$10 an acre on the amount of land for all. It varies greatly; at the highest altitude they get 8 inches of rainfall and on the mountains possibly 25 acres.

The CHAIRMAN. What was the estimated value of the timber and the timber lands?

Mr. HOLT. As soon as transportation facilities are available it will be very valuable, and a right of way is now before the department in which we have inserted certain stipulations whereby an irrigation company diverting water up here [indicating], which can not be used on the Indian reservation, carrying water 150 miles to Horse Country, will have used this irrigation canal for transportation for Indian timber to a certain point.

Mr. BURKE. Is not this the proposition that two years ago, after spending about \$200,000, I think, for irrigation, we had to appropriate \$250,000 to drain the land that had been irrigated?

Mr. MERITT. Yes, sir.

Mr. BURKE. And we did appropriate \$250,000.

Mr. MERITT. I think so. I would like to say, and I think it should be made part of the record, that the Yakima Indians are very much dissatisfied with the amount of water that they have been awarded. They contend that under the Winters decision that they are entitled to at least one-half of the water of the Yakima River, which amounts to about 2,000 second-feet. They claim that they are entitled to about 1,000 second-feet, and they have been awarded 147 second-feet.

Mr. BURKE. Whatever work is being done here is being done by the Reclamation Service, is it not, Mr. Meritt?

Mr. MERITT. No, sir; it has been done by our service, but the Reclamation Service desire to inaugurate, I believe, a big reclamation project in this country.

Mr. BURKE. Mr. Code stated two years ago that up to June 30, 1909, there has been expended \$207,500.

Mr. MERITT. Our records show that there has been expended up to July 1, 1911, \$265,413.

Mr. BURKE. Then there was only about \$55,000 or \$56,000 expended between June 30, 1909, and June 30, 1911, if the figures given by Mr. Code two years ago were correct?

Mr. HOLT. Mr. Burke, appropriations have been \$15,000 a year?

Mr. BURKE. I know.

Mr. HOLT. And in addition to that the Indians and water users required to pay the maintenance, which would probably amount to \$6,000 to \$10,000 a year.

Mr. BURKE. The money that you are expending, in whatever you are doing there, with the exception of the \$15,000 you obtained from tribal funds, do you know under what law we ever authorized it? If not, how did you get the money?

Mr. HOLT. Mr. Burke, as I understand that, the most of that land is leased, and in the leases there is a provision that the lessee shall, or the Indians—I do not know just how it is arranged—shall pay the maintenance charge, and that way they get from \$6,000 to \$10,000 a year.

Mr. BURKE. They get the money?

Mr. HOLT. Yes.

Mr. BURKE. Either from the sale or leasing of the land?

Mr. MERITT. The justification says that there has been appropriated only \$90,000 heretofore, and there has been expended about \$265,000.

Mr. BURKE. I just want to ask Mr. Meritt one question. Going back to the appropriation made in former appropriation bills for this project we used the language that we used at other places in the bill, provided that the amount hereby appropriated and all moneys heretofore or which shall be hereafter appropriated for these purposes shall be repaid into the Treasury, and so forth. Do you not think that is sufficient to make any amounts that we may appropriate reimbursable without repeating the language?

Mr. MERITT. It is sufficient, but we put it in here not only as a matter of convenience to the Indian Office but for the committee. You will recall last year it was before the Senate committee that they were asking us for reference to these various reimbursable items, and

we decided to put the reference in the book not only for the reference of the office but for the convenience of Congress.

Mr. HOLT. There is one more point in reference to this Yakima project. That \$15,000 is more than anything to protect our title to the flood waters filed on by the Reclamation Service for this large Wapato project. In order to handle it under State laws we have to carry on the work in a diligent manner.

The CHAIRMAN. The work is already started?

Mr. HOLT. Yes, sir.

The CHAIRMAN. Then we would lose the work we have already done and possibly the water right unless \$15,000 is appropriated?

Mr. HOLT. Yes.

Mr. FERRIS. Right there: Then this \$15,000 is appropriated in the hope that some time Congress will appropriate these \$4,000,000 and make that big project possible—is that the idea?

Mr. HOLT. It may be that, or it may be that the Indians in the meantime will secure title to this 1,000 second-feet of water. In that case it would not cost but a little over \$2,000,000 or \$2,500,000.

The CHAIRMAN. The next item is:

For support and education of 300 Indian pupils at the Cushman Indian School, Tacoma, Wash., including repairs and improvements, and for pay of superintendent, \$50,000, said appropriation being made to supplement the Payallup school funds used for said school, \$50,000.

Mr. MERITT. In support of that item I desire to submit a justification, as follows:

#### INDIAN SCHOOL, CUSHMAN, WASH.

Support, education, etc., including repairs and improvements, and for pay of superintendent.....	\$50, 000
Total value of school plant.....	\$266, 923
Capacity of school.....	300
Enrollment.....	221
Average attendance.....	200
Number of employees.....	24
Total salaries.....	\$15, 680

#### Appropriation, 1911.

No specific appropriation.

#### Expenditures, 1911.

Administration .....	\$1, 800. 00
Operation .....	50, 157. 26
Plant .....	46, 320. 64
Total .....	98, 277. 90

Cost per capita exclusive of repairs and improvements to plant and new construction..... 226. 00

No specific appropriation for 1912, but school was apportioned for general school purposes, including construction and repairs..... 142, 093. 55

Superintendent's estimates for 1913:

Absolute necessities.....	69, 716. 00
Urgent needs.....	1, 000. 00
Total .....	70, 716. 00



The Cushman Indian School has been maintained heretofore largely from the two special funds, "Puyallup 4 per cent school fund" and "Interest of Puyallup 4 per cent fund," which funds are gradually diminishing, and also has been partly maintained from the general fund "Indian schools support."

In order to maintain an institution of this character, it ought not to be dependent upon allowances from the general appropriation fund, which is already overtaxed, but should have a specific fund so that it may be properly and efficiently maintained.

The construction work hereafter can be provided for by these two special funds, and the \$50,000 asked for is necessary in order that the school may be properly maintained.

The high per capita for 1911 was caused by the fact that this school was in process of conversion into an industrial training school. The energies of the school administration were employed at this time in constructing the new industrial plant, and it was impossible to fill the school until its completion. Moreover, the equipment has not yet been fully provided, and until the school is completed and equipped it will be impossible to fill it to its capacity.

The CHAIRMAN. Where do these Indians come from that attend this school?

Mr. MERITT. They come mostly from within the State.

The CHAIRMAN. What is the average amount expended on each Indian?

Mr. MERITT. The cost per capita is rather high at that school—\$226.

The CHAIRMAN. What was the amount used last year for the support of this school?

Commissioner VALENTINE. \$98,277.90.

The CHAIRMAN. Did that include the construction of any part of the plant?

Commissioner VALENTINE. Yes, sir; \$46,000 went for plant, \$50,000 for operation, and \$18,000 for administration.

The CHAIRMAN. This will be more than the amount carried last year?

Commissioner VALENTINE. You see we loaned them as much money out of those two appropriations I named as we had before. We shall need in order to run the school on an operating expense of \$50,000, such as was used last year, a special appropriation of \$50,000.

The CHAIRMAN. Your reasons are all given in your justification?

Commissioner VALENTINE. I think that statement will cover it.

Mr. FERRIS. When was this school established?

Commissioner VALENTINE. It has been in existence a good many years. I do not know just when it was established, but it has been running along on a moderate basis until it was determined to make a large industrial mechanical school of it. Originally it was an agricultural industrial school. Then, as the city of Tacoma grew out around it, it seemed better to turn it more into a shop school.

Mr. FERRIS. How long has it been that?

Commissioner VALENTINE. That policy has been under way about four years.

Mr. FERRIS. When was it named the Cushman school?

Commissioner VALENTINE. Just after the death of Congressman Cushman.

Mr. FERRIS. What was it called before that?

Commissioner VALENTINE. I think it was called the Puyallup school.

Mr. FERRIS. Heretofore you have paid for this school out of the general fund and the interest on the 4 per cent fund?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Now you propose a new item of \$50,000?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Does or does not that come within the rule of new legislation?

Commissioner VALENTINE. I am not technically expert in just what Congress considers new legislation. It is the first time that we have had a specific direct appropriation, and that may make it new legislation.

Mr. FERRIS. It is a new item which has never been carried in the bill before, is it?

Commissioner VALENTINE. Not in that way at all.

Mr. FERRIS. Is there any particular reason why this school should be singled out and appropriated for specifically, other than the numerous other schools that are carried in the general item?

Commissioner VALENTINE. Yes. While it is in the middle of a good deal of Indian country and small reservations, it has become more a nonreservation school in the way in which its scope has been increased, and I think it is better when a school gets of this size and of this importance to pick it out like the Albuquerque school, or the Santa Fe school, or any other school, and carry it as a specific item. It is easier for Congress to keep track of it.

Mr. FERRIS. I see that the expense per capita here seems to have exceeded almost any other school in the bill. It is up as high as \$226 per capita.

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. And that is independent and exclusive of repairs and improvements and new construction, etc.?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Is there any reason why that school should cost so much more per capita than the other schools?

Commissioner VALENTINE. The average attendance has not anywhere near reached the capacity. That probably accounts at the present time largely for this high cost.

Mr. FERRIS. How many schools have they in the State of Washington, if you know? From the number of schools there it would seem that the Indians of that State are pretty well supplied with schools, would it not?

Commissioner VALENTINE. The present facilities are considered ample in this section, including what is proposed to do with this school.

Mr. FERRIS. The capacity of one seems to be 300 and the average attendance 200.

Commissioner VALENTINE. That is because these new buildings are just being put into operation.

Mr. FERRIS. You think they will be filled up and will run at full capacity as soon as completed.

Commissioner VALENTINE. Yes, sir; and that addition of nearly 100 pupils will very materially reduce the per capita cost, or should.

Mr. FERRIS. How is this school with reference to being situated close to the Indian tribes?

Commissioner VALENTINE. It is on a small tract of Indian land which was formerly included within the limits of the city of Tacoma.

Mr. FERRIS. It is very near Tacoma, is it not?

Commissioner VALENTINE. Right in the city of Tacoma.

Mr. FERRIS. Where do the students come from that attend this school?

Commissioner VALENTINE. Chiefly from the northwest corner of the country.

Mr. FERRIS. Not only from Washington, but from other States?

Commissioner VALENTINE. I think more of them come in from there, because the idea is to make this a trade school.

Mr. FERRIS. It has been the general policy of your office to cling more closely to day schools and to shrink away from boarding schools as much as possible, has it not?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Do you still feel the same way about it?

Commissioner VALENTINE. I still do.

Mr. FERRIS. Undoubtedly we would all like to have a tremendous Indian school built up at Government expense at our own door. If the day schools have seemed more profitable to the Indian Service and seemed to them to have accomplished more, the lack of wisdom seems patent to everybody, they ought not to spend these immense sums in building up what is practically a nonreservation school.

Commissioner VALENTINE. My own feeling is right along the same way you are talking, making a day school what it ought to be—an industrial center for the community—the girls being taught laundry work and cooking and sewing, and the boys having a chance to work in the garden, take care of stock, and raise hens and things of that sort. If we put the money into things of that sort, with a field matron stationed there, it would be a very much more fruitful proposition in the long run.

Mr. FERRIS. That brings me right back to this point. To adopt this paragraph would it not in a measure take from you the discretion that you ought to have in the management of that school, and the amount to be expended on that school? Is not that taking it out of your hands and saddling that school onto us for a long time as an individually provided for school?

Commissioner VALENTINE. In a sense it has been, but the policy has been laid down by Congress that to abandon this would be to abandon the use of a plant already constructed.

Mr. FERRIS. That would seem to be an undeterminable policy. If we make a mistake this year we will make the same mistake next year.

Commissioner VALENTINE. I am simply pointing out what the theory is. If the school is there it must be allowed to deteriorate or let it run.

Mr. FERRIS. Just one word right there. You think as to that general appropriation item, which is a large item, you have a discretion as to where to expend those moneys, do you not?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. So long as this school is not specifically appropriated for you can spend there what you think you ought to spend and likewise at other schools. But when an item is adopted providing a specific amount to be expended there then your hands are tied, and you have to spend the amount that is appropriated for it. Is that correct?

Commissioner VALENTINE. Yes, but I think you will see that I am tied at both ends of this thing. Congress has built up a big school here. Now, if it says continue to run this big school out of your funds, you will see somebody is being mulcted.

Mr. FERRIS. I can readily see that is true, but would it not be more the part of wisdom to increase the amount of general appropriations, and to avoid specific mention of any of these schools?

Commissioner VALENTINE. That would be helpful.

Mr. FERRIS. That would still leave you your discretion and also an amount to run this school.

Commissioner VALENTINE. That might be a much better policy, and it might also be well sooner or later for Congress to mention what I think will be the ultimate outcome of this school, viz, that it will be taken over by the State as a general industrial school for both whites and Indians, and it might be well to do what we can to hasten that day, but I do not think it will be for any great length of time; I have said so from the beginning—run as a strictly Indian school.

Mr. FERRIS. Then if we changed this item and gave it to you in the general appropriation for Indian schools rather than to make specific mention of it, it would not really retard the school or destroy its usefulness, would it?

Commissioner VALENTINE. No; that would prevent me from having to injure some other school in the service rather than to run this school in that way.

Mr. BURKE. How has the expense of this school been met before?

Commissioner VALENTINE. Partly out of the general appropriation, and partly out of this 4 per cent Puyallup fund.

Mr. BURKE. And really the purpose of this appropriation is to relieve the general appropriation to the extent of whatever money you have been putting into this school?

Commissioner VALENTINE. Not quite that. It is to relieve our general appropriation from having to bear an extra burden that will be put upon it by the increased facilities of this school.

Mr. BURKE. To what extent has it increased?

Commissioner VALENTINE. I should say that it has been at least doubled in general equipment and accomplishing power.

Mr. BURKE. In point of attendance?

Commissioner VALENTINE. Its old attendance as shown by the report of the fiscal year 1908 was a capacity of 180. We are now planning a capacity of 300.

Mr. BURKE. I desire to call your attention to your figures on the second page of the memorandum which you have furnished. You give the items "Administration, operation, and plant."

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. \$46,320.64 is charged to plant?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. What does that mean?

Commissioner VALENTINE. That is to the new building and the equipment which has gone in there to increase the capacity.

Mr. BURKE. That is, during the last fiscal year the plant has been improved to the extent of \$46,320.64?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. Now, the expense of operation and administration includes what you are asking this appropriation for, I presume?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. It practically amounts to \$52,000?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. If the average attendance was only 200 for the year how do you get the cost per capita only \$226? Ought it not to be \$260?

Commissioner VALENTINE. We left out the plant item in that calculation.

Mr. BURKE. Yes. Dividing \$52,000 by 200 gives \$260. How do you account for the item being stated \$226?

Commissioner VALENTINE. It must be a mysterious process of one of our bookkeepers. Before I said that he was wrong I should like to check up that figure.

Mr. BURKE. I am not saying that it is wrong. If it is \$260, or assuming that \$226 is correct, do we not have an example here of the high cost of per capita expense of Indian schools where there is no limitation, and where you have the widest latitude to expend as much or as little money as you see fit?

Commissioner VALENTINE. Of course that is one of the things that was perfectly evident, a danger in removing the per capita cost, but I do not think the plan has been tried long enough, or the figures analyzed sufficiently to show the actual results. The only thing that I am sure of at the present time is that the removal of the per capita limit even though it may have lifted the figures as I said at the time it would, on account of the increased cost of living, has resulted in the children being better nourished.

The CHAIRMAN. Could the students attending this school be accommodated in other nonreservation schools?

Commissioner VALENTINE. My understanding is, from the general report of our school supervisors, that the facilities of this school at the present time are just about sufficient for the Indians in that section of the country.

The CHAIRMAN. Are there not several nonreservation schools which are running under the old limit of \$167, I believe, that could accommodate all of these Indian pupils and save to the Government \$50 for each student?

Commissioner VALENTINE. I think most of those schools, either far off or in the vicinity, are running pretty well up to their capacity.

The CHAIRMAN. Mr. Warburton desires to address the committee in regard to the Indian school at Tacoma, Wash. You will find it on page 54 of the bill.

**STATEMENT OF HON. STANTON WARBURTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON.**

Mr. WARBURTON. It is a school that has to do with the Indians in Washington.

The CHAIRMAN. That is a new item, I believe.

Mr. WARBURTON. Heretofore I think the amount for the running expenses of the school, paying of salaries, and so forth, was in a blanket item, and Mr. Johnson, who is a very capable man, was very anxious to have allotted to him a certain sum. As I understand, the amount allotted to him under this bill is about what he has been accustomed to get, but it is wholly insufficient to properly run the school. They have there not only the ordinary school, but a training school, and the training school, as I understand it, is now reasonably well equipped.

The CHAIRMAN. They have shops?

Mr. WARBURTON. Shops; yes.

The CHAIRMAN. What do they make there, or what are the students required to make?

Mr. WARBURTON. Oh, various things. For instance, I know when I was there we had four or five boys, or more than that, who were learning the tailor trade.

The CHAIRMAN. Is it a mixed school?

Mr. WARBURTON. Yes; he has a blacksmith shop, and there are a number of them taking instructions in the blacksmithshop, and also taking instructions in woodenware work; it is really a manual-training school, and it was his opinion that the Indian boys took to this sort of thing very kindly. They are certainly doing a very good work. Under the proposed appropriation he would be unable to employ men teachers sufficient to train them. He wanted \$70,000. I do not know what amount has been suggested by the department; I believe about \$40,000 or \$50,000, is it not?

Commissioner VALENTINE. About \$50,000.

Mr. WARBURTON. He was very anxious—he can not employ the men that he believes he ought to employ, and particularly in the manual-training department. He will—I think he counted on having 325 or 350 pupils. That would be about \$200 a pupil, if he is given the full amount.

The CHAIRMAN. I see the capacity is 300.

Mr. WARBURTON. Yes.

The CHAIRMAN. Have they been often up to that?

Mr. WARBURTON. I do not know exactly.

The CHAIRMAN. The enrollment is 221; the average attendance 200.

Mr. WARBURTON. He is of the opinion that if he has the opportunity to give boys the manual training he can run it up to full capacity.

The CHAIRMAN. Does your amendment contemplate any additions to the buildings?

Mr. WARBURTON. No; I think not. I think the buildings under the last appropriation were pretty well fixed. There ought to be an appropriation for improvement of the grounds.

The CHAIRMAN. I believe there is a general clause in this bill somewhere relative to the grounds.

Mr. WARBURTON. I shall not urge the improvement of the grounds at this time.

The CHAIRMAN. There is a general appropriation there for that purpose in all the Indian schools.

Mr. WARBURTON. There ought to be more for the maintenance of the teachers there if the school is to do the work it ought to do. There ought to be a sufficient appropriation there for the employment of proper teachers.

Commissioner VALENTINE. This school, as a rule, has been appropriated for out of the general fund.

Mr. WARBURTON. That is correct.

Commissioner VALENTINE. And the school is taking on such special scope that it appears here in the bill as what we call a specifically appropriated for school instead of under the old list; it is rather a tax on our general school fund.

It is really a fine school and finely conducted. Mr. Johnson is a particularly able man, and we have the capacity there, the buildings are there, and if he has a sufficient fund appropriated for maintenance, I think he will run it practically up to the full capacity of the school. There are plenty of students to fill it.

The CHAIRMAN. Mr. Warburton, I see that each student is costing the Government \$226.

Mr. WARBURTON. \$226.

The CHAIRMAN. For each student. I believe it is the highest rate of any school in the United States.

Mr. WARBURTON. That has been because they have not had manual training. Before it has been a common, ordinary school.

The CHAIRMAN. But there are large manual training schools among the Indian schools.

Mr. WARBURTON. I do not know what they average, but it has occurred to me that our public schools cost us \$250 a student—our State schools. As a matter of fact it has got up to that.

The CHAIRMAN. There never has been a specific appropriation for the school.

Mr. WARBURTON. There never has been before, because the buildings are just equipped for manual training.

The CHAIRMAN. Would they like to have that school begun?

Mr. WARBURTON. It is here under this recommendation of the department.

The CHAIRMAN. To be specifically appropriated for this, too?

Mr. WARBURTON. Yes. I would like to say that we need the full \$70,000. It is badly needed. I have been over there and examined the place myself and have gone over the matter a number of times. If that amount is appropriated the school will be a first-class school in every way. The manual training department there is very essential.

The CHAIRMAN. The next item is:

For the support and education of two hundred and ten Indian pupils at the Indian school at Hayward, Wisconsin, and pay of superintendent, thirty-eight thousand one hundred and seventy dollars; for general repairs and improvements, three thousand dollars; in all, forty-one thousand one hundred and seventy dollars.

What have you to say in regard to that item?

Commissioner VALENTINE. In justification I offer the following information for the record:

*Indian school, Hayward, Wis.*

Fiscal year ending June 30, 1912: Amount appropriated..... \$38,670.00

Fiscal year ended June 30, 1911:

Amount appropriated..... 38,870.00  
Amount expended..... 36,621.53

Unexpended balance..... 2,248.47

Analysis of expenditures:

Employees..... 14,653.65  
Repairs and improvements..... 1,536.23  
Heat, light, and power..... 3,803.94  
Subsistence..... 6,681.09  
Dry goods, clothing, etc..... 6,313.39  
Hardware, implements, etc..... 880.80  
Furniture and household goods..... 649.06  
Schoolroom supplies..... 212.97  
Medical supplies..... 219.72  
Forage..... 1,200.20  
Traveling expenses..... 14.17  
Telephoning..... 54.00  
Stationery and office supplies..... 58.08  
Miscellaneous..... 344.18  
  
36,621.53

Support, education, etc..... 38,170.00

Repairs and improvements..... 3,000.00

Total..... 41,170.00

Capacity of school..... 150

Enrollment..... 227

Average attendance..... 214

Number of employees..... 20

Total salaries..... \$13,050.00

Appropriation, 1911:

Support, education, etc..... 36,670.00  
General repairs and improvements..... 2,200.00

Total..... 38,870.00

Expenditures, 1911:

Administration..... 1,600.00  
Operation..... 33,485.25  
Plant..... 1,536.28

Total..... 36,621.53

Cost per capita, exclusive of repairs and improvements to plant  
and new construction..... 154.56

Appropriation, 1912:

Support, education, etc..... 36,670.00  
Repairs and improvements..... 2,000.00

Total..... 38,670.00

Superintendent's estimates for 1913:

Absolute necessities..... 70,150.00  
Urgent needs..... 0.00

Total..... 70,150.00



This school is classed as a nonreservation boarding school, but it is virtually a reservation school for the Lac Courte Oreille Indians not far away. The institution is popular among the Indians and is easily kept filled from that tribe alone, many pupils having been turned away at the beginning of school last year for lack of room and funds.

The present rated capacity is only 150 pupils, but 227 pupils were present last year and can easily be secured for another. By an unfortunate circumstance, which can not be explained, the superintendent did not receive his estimate blanks until too late for incorporation in the budget to Congress, hence he was denied the opportunity to be heard for an increased capacity at Hayward. As a matter of fact the capacity should be increased to 250 pupils by the construction of an addition to each of the dormitories. This has the urgent indorsement of Supervisors Peairs and Peirce and Superintendent Light and is worthy of most serious consideration. The amount proposed for support and education should be allowed to stand as estimated and the capacity of the school increased accordingly. This covers about \$1,500 additional for support and education over the appropriation for the fiscal year 1912 in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

The repairs and improvements allowance of \$3,000, which has been increased \$1,000 over the amount set aside for that purpose for 1912, is necessary to keep the plant up to reasonable efficiency during the coming year and to enable the service to accomplish satisfactory results. The buildings are reported to be in fair condition, but need sundry minor repairs and the lighting system needs complete overhauling.

The CHAIRMAN. I see that you have an increase here from \$38,000 to \$41,000.

Commissioner VALENTINE. That is a regular increase that we have put in, a level increase on all Indian schools this year, to enable us to increase salaries and up-keep expenses.

The CHAIRMAN. The next item is:

For support and education of two hundred and fifty Indians pupils at the Indian school, Tomah, Wisconsin, and for pay of superintendent, forty-four thousand nine hundred and fifty dollars; for general repairs and improvements, seven thousand dollars; in all, fifty-one thousand nine hundred and fifty dollars.

There is a small increase there. Is that the same?

Commissioner VALENTINE. In justification I offer the following information for the record:

*Indian school, Tomah, Wis.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$49,950.00
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Fiscal year ended June 30, 1911:	
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Amount appropriated-----	46,450.00
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Amount expended-----	44,840.08
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Unexpended balance-----	1,609.92
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Analysis of expenditures:

Employees-----	17,781.72
Repairs and improvements-----	1,639.47
Heat, light, and power-----	6,600.21
Subsistence-----	6,854.42
Dry goods, clothing, etc-----	6,407.30
Hardware, implements, etc-----	2,128.70
Furniture and household goods-----	434.30
Schoolroom supplies-----	215.16
Medical supplies-----	168.88
Forage-----	1,829.72
Traveling expenses-----	32.19
Telephoning-----	36.00
Stationery and office supplies-----	198.49
Miscellaneous-----	513.52

Total-----	44,840.08
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Support, education, etc.....	\$44,950.00
Repairs and improvements.....	7,000.00
Total.....	51,950.00
Total value of school plant.....	\$142,437.00
Capacity of school.....	250
Enrollment.....	221
Average attendance.....	206
Number of employees.....	28
Total salaries.....	\$16,850.00
Appropriation, 1911:	
Support, education, etc.....	\$43,450.00
General repairs and improvements.....	3,000.00
Total.....	46,450.00
Expenditures, 1911:	
Administration.....	1,750.00
Operation.....	41,450.61
Plant.....	1,639.47
Total.....	44,840.08
Cost per capita, exclusive of repairs and improvements to plant and new construction.....	195.48
Appropriation, 1912:	
Support, education, etc.....	43,450.00
Repairs and improvements.....	3,000.00
Heating plant and ventilating system.....	3,500.00
Total.....	49,950.00
Superintendent's estimates for 1913:	
Absolute necessities.....	46,450.00
Urgent needs.....	20,600.00
Total.....	67,050.00

This school has a capacity of 250 pupils, and it is this number which is proposed for 1913. The school has a fine and attractive plant, well situated with respect to pupils, and not difficult to fill. During the last year the superintendent of this school has been charged with the administration of all Wisconsin-Winnebago affairs, which brings him into closer touch with the children of these Indians. They in turn are much more likely to gain admittance to Tomah than any other school, and this is the logical place for them.

The additional amount of \$1,500 for support and education over the appropriation for the fiscal year 1912 is required in order to increase the salaries of certain employees to a reasonable and sufficient compensation for their services.

The increase of \$1,000 proposed for repairs and improvements is required not alone on account of extensive repairs to laundry but because of the need of overhauling and enlarging the school dairy barn.

Mr. BURKE. The school, Mr. Commissioner, at Hayward has an average attendance of 214, and the average attendance of the school at Tomah was 256. The cost per capita at the Hayward school is \$154.56, and the per capita cost of the school at Tomah is \$195.48. There is another instance of quite a difference in the per capita cost of two schools, with substantially the same attendance, and both in the same State. Can you suggest why that should be so?

Commissioner VALENTINE. We are now engaged in analyzing those figures.

The CHAIRMAN. Could you furnish us a statement in regard to that?

Commissioner VALENTINE. I am making that up now, and would like to ask if it can be inserted in the record at the proper point before it is printed. I believe that would materially clarify the situation.

Mr. FERRIS. You stated in the hearings that you were asking for a general increase of the salaries of the school officers throughout, and that your requests had been pretty uniform for the different schools. Is that correct?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. I believe you stated, also, that this increase was being asked for so that the office could use its discretion in increasing the salaries of those who merited it?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Now, if those two rules be followed, had you ought to ask a uniform raise in the salaries, when some schools have undoubtedly gotten their per capita expense too high?

Commissioner VALENTINE. As I stated to the committee the other day, Mr. Ferris, we are not in possession of the necessary information to enable us to ask for increases in the case of each school separately, and consequently we felt justified in asking for what we felt sure was not too much for any place. This increase of \$1,500 for the employees at each of these schools, and the \$1,000 additional for repairs at each of these schools, is a figure that I am certain is needed. At many places the amount required might be much higher, but in the absence of definite information I did not want to ask it. I would also like to call the attention of the committee to the fact that at some of these schools where the per capita cost is so high, probably the quickest way to cut that down and make a net saving would be to get a business man and put him at the head of it.

Mr. FERRIS. I submit, however, in the first place, that it is dangerous for Congress to appropriate money that is not needed, and, second, it seems to me a poor way to reward an inefficient officer, who is getting the expenditures up too high, to increase his salary.

Commissioner VALENTINE. How do you mean, Mr. Ferris, to appropriate money that is not needed?

Mr. FERRIS. Well, I made that suggestion, Mr. Commissioner, in view of your answer here that you had asked for money without information as to just where it was needed.

Commissioner VALENTINE. No, sir; I said I was sure that that much was needed.

Mr. FERRIS. Here is a school in Wisconsin, the Hayward School, of practically the same capacity—214—as the one at Tomah—206—in the same State, where provisions and conditions must be largely the same; the attendance at the two schools is practically the same, and yet there is a difference between \$154.56 and \$195.48 in the per capita cost. That, in my judgment, is too great a difference. Now, to increase arbitrarily or to appropriate money for the purpose of arbitrarily increasing the salaries of the officers of those two schools, seems to me a way of rewarding the inefficient as well as the efficient.

Commissioner VALENTINE. I think you have not understood me correctly, Mr. Ferris. It does not mean that the officers will necessarily receive this increase; it may be some minor employee who will receive it, and without reflecting in any way on the management of the Tomah School, as I said a moment ago, probably the best way to bring that cost down is to put a more expensive man—using that term

in the mere sense of dollars and cents—in there as superintendent. In my opinion, the quickest way to have lack of economy is to put a cheap man at the top.

Mr. FERRIS. Well, that proposition is probably true, too; but that percentage of difference, it seems to me—

Commissioner VALENTINE. If this man, pardon me, is an inefficient man the interests of the Government would require that he be put out of the service and we should try and get an efficient man.

Mr. FERRIS. Of course, that is true as a general proposition, but the way to most effectively reduce expenditures is to cut them down instead of raising them, or place a positive limitation on a school that runs its expenditures up as high as that.

Commissioner VALENTINE. That would be a rather severe operation, but if the experiment were tried of cutting these schools down I am perfectly sure that in another year you would find the inefficiency of the schools had gone up.

Mr. FERRIS. That don't always follow, in my opinion.

The CHAIRMAN. There have been a great many instances in the service where men have not been dismissed for wrongdoing, but, instead, have just been changed to some other place; is not that so?

Commissioner VALENTINE. I do not recall any, just at the moment.

The CHAIRMAN. How about Mr. Crandall's case, who was recently at Santa Fe and now at Pierre?

Commissioner VALENTINE. Yes, he was changed; but he is a man of very great ability in many lines. He was changed for disciplinary purposes and at a reduction in salary.

The CHAIRMAN. Well, if he misbehaved at one place he would likely do that at another. Why not let him go out of the service?

Commissioner VALENTINE. That matter was very carefully investigated by the Secretary of the Interior and he approved this arrangement.

The CHAIRMAN. What salary was he getting?

Commissioner VALENTINE. \$2,100.

The CHAIRMAN. What is he getting now?

Commissioner VALENTINE. \$2,000.

The CHAIRMAN. A decrease of one hundred dollars.

Commissioner VALENTINE. Plus all the expenses incident to his moving. We don't pay the car fare or other expenses of employees moving from place to place.

The CHAIRMAN. But he has about as good a position as he had at the other place, and the charges against him were sustained.

Commissioner VALENTINE. I don't think so; not by any means all the charges. If we could get angels with flaming swords to take charge of these Indian reservations we would probably have less trouble, but we have to take what we can get.

Mr. BURKE. In your statement that you have submitted in justification of the appropriations estimated for this school you expend the \$1,500 for increase in salaries, and you mention the increase for repairs and improvements of \$1,000, whereas the estimate calls for an increase of \$4,000.

Commissioner VALENTINE. There are probably some particular improvements estimated for in addition to the rest. I was speaking of the level raise of \$1,500 for salaries and \$1,000 for improvements throughout.

The CHAIRMAN. The next item is:

For support and civilization of the Chippewas of Lake Superior, Wisconsin, seven thousand dollars.

Mr. VALENTINE. I submit, in justification, Mr. Chairman, the following information for the record:

*Support of Chippewas of Lake Superior, Wis.*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$7,000.00
<b>Fiscal year ended June 30, 1911:</b>	
Amount appropriated-----	7,000.00
Amount expended-----	6,441.11
Unexpended balance-----	558.89
<b>Analysis of expenditures:</b>	
Employees-----	2,191.58
Heat, light, and power-----	57.50
Subsistence-----	861.78
Medical supplies-----	2,737.79
Forage-----	577.50
Stationery and office supplies-----	4.96
Miscellaneous-----	10.00
	6,441.11

*Support and civilization of Chippewas of Lake Superior.*

Amount asked for, \$7,000.

There are 4,190 Indians of this tribe under the jurisdiction of the superintendence of the Hayward, Lac du Flambeau, La Pointe, Grand Portage, and Red Cliff Agencies. Two thousand one hundred dollars has heretofore been expended for the payment of clerk hire and the remainder is used for the purchase of subsistence, medical supplies, forage, and other articles for the benefit of these Indians.

The CHAIRMAN. Do these Indians have funds from which this expenditure should be made reimbursable, under the rule we adopted the other day?

Commissioner VALENTINE. I think not; no, sir.

The CHAIRMAN. Can you look there without much trouble and see?

Commissioner VALENTINE. Nothing appears here.

The CHAIRMAN. Have they any large estates, in the way of land or timber, or minerals?

Commissioner VALENTINE. No, sir; only their allotment.

The CHAIRMAN. The next item is:

For support, education, and civilization of the Pottawatomie Indians, who reside in the State of Wisconsin, nine thousand dollars.

That is a new item entirely.

Commissioner VALENTINE. I submit, in justification, the following information:

*Support of Pottawatomies, Wis.*

Fiscal year ending June 30, 1912, balance from 1911 made available-----	\$22,344.57
<b>Fiscal year ended June 30, 1911:</b>	
Amount appropriated-----	25,000.00
Amount expended-----	2,655.43
Unexpended balance-----	22,344.57

## Analysis of expenditures:

Employees.....	\$1, 830. 52
Subsistence.....	100. 00
Dry goods, clothing, etc.....	165. 00
Traveling expenses.....	556. 43
Stationery and office supplies.....	3. 48

2, 655. 43

*Support of Pottawatomes in Wisconsin.*

Amount asked for, \$9,000.

There has been available for some time \$25,000 for the support and civilization of these Indians. It has been but a short time since a superintendency has been established at Carter, Wis., for these Indians, and the superintendent is now endeavoring to determine the needs and wants of the Indians. From previous reports on file it would appear that these Indians are in need of assistance, and it is believed that the sum asked for should be furnished in order to permit this office to provide for the wants of these Indians after the amount now available has been expended, inasmuch as the establishment of the agency with salaries for the necessary employees and the initial outlay for supplies, etc., for the Indians will be considerable.

Mr. FERRIS. The appropriation that is usually carried is \$25,000, is it not?

Commissioner VALENTINE. I think there has been only one of that size, but that has been available for some time.

Mr. FERRIS. One general appropriation used from year to year?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. What is the total number of Pottawatomie Indians in Wisconsin?

Commissioner VALENTINE. 440.

Mr. FERRIS. And do they have allotments of land?

Commissioner VALENTINE. They are not under any agency and I think they are living scattered around Wisconsin without any tracts of land.

Mr. FERRIS. And without any trust funds, are they?

Commissioner VALENTINE. I think so; yes, sir.

Mr. FERRIS. I notice in your book of justification that you show an unexpended balance from moneys heretofore appropriated for these Indians. Why the necessity of asking for this \$9,000, so long as that is available?

Commissioner VALENTINE. It was appropriated in the bill last year, but has been hypothecated on our books for activities of this fiscal year.

Mr. FERRIS. This, of course, is a gratuity which will never come back to the Federal Treasury?

Commissioner VALENTINE. That is the case.

Mr. FERRIS. I notice you have established a new agency out there, at Carter, Wis.

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. And at that agency you have employees whose salaries aggregate \$1,830.32. Is it proposed to make a large agency out of this?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. Would it not have been possible to have attached these homeless and, apparently, penniless Indians to some other agency, so they might have been administered as an affiliated band and thereby saved the Treasury the amount that you will have to expend, which, of course, is not recoverable?

Commissioner VALENTINE. That may be possible later on, but I think it would cost as much one way as another.

Mr. FERRIS. What is the nearest agency to the bulk of these Indians?

Commissioner VALENTINE. About 40 miles. The Menominee Agency.

Mr. FERRIS. Doesn't it seem to you that it is incurring a greater burden than the Federal Government should bear to establish an agency to take charge of only 440 Indians?

Commissioner VALENTINE. Well, we have a large agency at Mes-calero to take care of only 500 Indians?

Mr. FERRIS. In each case where that appears should it not, as a matter of right and economy, be the duty of the Indian Office to consolidate those Indians with some other agency?

Commissioner VALENTINE. Yes, sir; if it could be done desirably.

Mr. FERRIS. Because every agency has to have a full quota of officers—superintendent and others, and the natural expenses that flow from it.

Commissioner VALENTINE. We might be able to do that.

Mr. FERRIS. Would it not be well to withdraw this \$9,000 appropriation, which is a new item, until an investigation can be made as to the feasibility of combining these 440 Indians with some other agency in Wisconsin?

Commissioner VALENTINE. I do not think so, for the reason that these Indians are at least 50 miles from the nearest Indian reservation and this appropriation is much needed for these Indians.

Mr. BURKE. The appropriation made two years ago contemplated that very thing being done, that is, to investigate these very conditions, did it not? And is it not probable that you have in your office a full report of the need for having a separate superintendent to look after these Indians?

Commissioner VALENTINE. Yes, sir; I think we have a report on that subject.

Mr. BURKE. My recollection is that it was also suggested that the question of the purchase of a tract of land, or several small tracts of land, was to be considered, with a view to putting these Indians upon land of their own, in the form of allotment, or otherwise. Have you any information to give us on that point?

Commissioner VALENTINE. I recall now that the report made by one of our people was in favor of such a consolidation as you suggest. The chief supervisor, however, from his own knowledge of the facts and conditions, reported adversely on the proposition.

Mr. BURKE. When you speak of "consolidation" just what do you mean?

Commissioner VALENTINE. I mean buying a certain tract of land. The issue was between segregating them on one tract of land, and letting them continue to live in a more or less scattered condition and trying to guide them into the general citizenship of the community in which they were living.

Mr. BURKE. And what did he recommend?

Commissioner VALENTINE. He recommended that they be so consolidated.

Mr. BURKE. On one tract, as a tribe, instead of scattered about?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. And do you know whether or not he recommends that it would be feasible to gather them in and require them to live upon a small reservation?

Commissioner VALENTINE. That was his recommendation; that that be done.

Mr. FERRIS. The report didn't cover the feasibility of consolidating them with a band of some other tribe of Indians?

Commissioner VALENTINE. I think not.

The CHAIRMAN. We will take up, then, Wyoming, section 25, "For support and civilization of Shoshone Indians in Wyoming, twelve thousand dollars."

Commissioner VALENTINE. I submit in justification the following information:

*Support of Shoshones in Wyoming.*

Fiscal year ending June 30, 1912: Amount appropriated.....	\$12,000. 00
Fiscal year ended June 30, 1911:	
Amount appropriated.....	12,000. 00
Amount expended.....	11,534. 90
Unexpended balance.....	465. 10
Analysis of expenditures:	
Employees.....	178. 00
Repairs and improvements.....	435. 75
Heat, light, and power.....	763. 51
Subsistence.....	6,401. 21
Hardware, implements, etc.....	2,615. 29
Furniture and household goods.....	10. 54
Forage.....	707. 58
Stationery and office supplies.....	89. 42
Seed.....	333. 65
Miscellaneous.....	2. 00
	11,534. 90

SUPPORT OF SHOSHONES IN WYOMING.

Amount asked for, \$12,000.

There are over 800 Indians of this tribe under the jurisdiction of the superintendent of the Shoshone Agency. Of the amount heretofore appropriated \$1,460 is used for salaries of clerks and over \$10,000 for the purchase of subsistence, hardware, medical supplies, farming implements, and other articles for the benefit of the Indians.

Mr. FERRIS. Do these Indians have any trust funds or tribal estates? They are in debt about \$700,000 already.

Commissioner VALENTINE. No, sir.

Mr. FERRIS. Then, there is no possibility of making this reimbursable?

Commissioner VALENTINE. No, sir.

The CHAIRMAN. The next item is:

For support and education of one hundred and seventy-five Indian pupils at the Indian School, Shoshone Reservation, Wyoming, and for pay of superintendent, thirty-two thousand five hundred and twenty-five dollars; for general repairs and improvements, four thousand dollars; in all, thirty-six thousand five hundred and twenty-five dollars.

There is an increase there of something over \$2,000. What have you to say to that item?



Commissioner VALENTINE. I submit in justification, Mr. Chairman, the following information:

*Indian school, Shoshone Reservation, Wyo.*

Fiscal year ending June 30, 1912: Amount appropriated	\$34,025.00
Analysis of expenditures:	
Fiscal year ended June 30, 1911:	
Amount appropriated	34,025.00
Amount expended	32,040.56
Unexpended balance	1,984.44
Analysis of expenditures:	
Employees	12,848.34
Repairs and improvements	1,414.62
Heat, light, and power	5,829.08
Subsistence	5,618.94
Dry goods, clothing, etc	4,819.12
Hardware, implements, etc	774.03
Furniture and household goods	350.07
School room supplies	139.22
Medical supplies	172.00
Traveling expenses	34.25
Telephoning	36.00
Stationery and office supplies	4.89
	32,040.56
Support, education, etc	32,525.00
Repairs and improvements	4,000.00
Total	36,525.00
Total value of school plant	144,075.00
Total salaries	12,980.00
Number of employees	18
Capacity of school	135
Enrollment	179
Average attendance	175
Appropriation, 1911:	
Support, education, etc	\$31,025.00
General repairs and improvements	3,000.00
Total	34,025.00
Expenditures, 1911:	
Administration	1,900.00
Operation	28,725.94
Plant	1,414.62
Total	32,040.56
Cost per capita exclusive of repairs and improvements to plant and new construction	171.09
Appropriation, 1912:	
Support, education, etc	31,025.00
Repairs and improvements	3,000.00
Total	34,025.00
Superintendent's estimates for 1913:	
Absolute necessities	38,006.00
Urgent needs	1,250.00
Total	39,856.00

Certain of the salaries paid are low and it is deemed necessary to increase these, for which \$1,500 additional is estimated for 1913.

The increase of \$1,000 for repairs and improvements above the amount appropriated during 1911 and 1912 is requested to bring the plant up to a state of efficiency and is considered a moderate estimate for the purpose.

Commissioner VALENTINE. Precisely the same questions are involved in connection with that item as the committee has raised in regard to all these schools.

The CHAIRMAN. Have these Indians any trust funds out of which this money might be reimbursed

Commissioner VALENTINE No, sir; these are the same Indians concerned with the item in regard to roads.

The CHAIRMAN. The next item is:

For continuing the work of constructing an irrigation system within the diminished Shoshone or Wind River Reservation, in Wyoming, including the maintenance and operation of completed canals, fifty thousand dollars, reimbursable in accordance with the provisions of the act of March third, nineteen hundred and five.

Mr. MERITT. In justification of this item I submit the following information for the record:

*Irrigation system, Wind River Diminished Reservation, Wyo. (reimbursable).*

Fiscal year ending June 30, 1912: Amount appropriated-----	\$50,000.00
Fiscal year ended June 30, 1911:	
Unexpended balance June 30, 1910-----	<sup>1</sup> 51,010.55
Amount appropriated-----	75,000.00
	<hr/>
	126,010.55
Amount expended-----	113,586.15
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Unexpended balance-----	12,424.40
	<hr/>
Analysis of expenditures:	
Employees-----	88,368.47
Materials-----	11,444.51
Heat, light, and power-----	840.66
Hardware, equipment, etc-----	3,816.37
Medical supplies-----	43.05
Stock purchase-----	1,250.00
Forage-----	6,931.46
Transportation and supplies-----	77.25
Traveling expenses-----	324.85
Telephoning and telegraphing-----	44.20
Stationery and office supplies-----	443.33
Miscellaneous-----	2.00
	<hr/>
	113,586.15

WIND RIVER.

Number of Indians-----	1,701
Land now irrigated:	
Indians-----acres--	1,800
Whites-----do-----	6,900
Land now under ditch-----do--	59,248
Cost per acre-----	\$10.60
Amount expended to July 1, 1911-----	\$511,597.65
Estimate necessary to complete-----	\$124,486.88
Value of land when irrigated-----per acre--	\$40 to \$100

<sup>1</sup> \$10,407.16 of this amount transferred from appropriation, "Irrigation system, Wind River Diminished Reservation, Wyo."

## IRRIGATION SYSTEMS, WIND RIVER DIMINISHED RESERVATION, WYO. (REIMBURSABLE).

For continuing the work of constructing irrigation system, including the maintenance of completed canals, \$50,000.

\$575,000 have been appropriated for this project.

\$559,912.69 have been expended on irrigation work on this reservation, of which \$511,597.65 have been expended on construction since the inception of the project, and \$11,577.61 has been expended in maintenance.

There are 63,657.3 acres under the project, of which 59,248 are now irrigable.

Estimated amount required to complete the project, \$124,486.88.

We have a little over four years more in which to perfect water rights made by the office on behalf of the Indians of this reservation. Settlement has been slow in this section, and comparatively few leases have been made to date. The Indians are also slow in reclaiming their holdings, and must be given every assistance possible in order that their valuable water rights may be preserved for them. Their main irrigation canals must be fully completed, and laterals built as rapidly as the demand for them occurs, in order that the lands may be reclaimed and the water applied to beneficial use before 1916.

The CHAIRMAN. I see this item is for continuing the work of constructing an irrigation system within the diminished Shoshone or Wind River Reservation in Wyoming, including the maintenance and operation of completed canals, \$50,000. Is this only one project?

Mr. MERITT. This project is practically completed, Mr. Chairman. There has been expended up to July 1, 1911, over \$500,000 on this project, and it is now practically completed.

The CHAIRMAN. Does your explanation show the number of Indians on this reservation?

Mr. MERITT. There are 1,700 Indians on the reservation.

The CHAIRMAN. And does it show the amount of land in the reservation—diminished reservation, this is.

Mr. MERITT. It shows the amount of land irrigated by Indians as 1,800 acres, and by whites 6,900 acres; lands now under ditch, 59,240 acres.

The CHAIRMAN. How much is the entire reservation, unallotted lands—land that could be sold?

Mr. MERITT. There is in the entire reservation unallotted lands amounting to about 95,000 acres, and then the ceded reservation contains a very large acreage; and all of this land has not yet been disposed of. You will recall that Mr. Mondell, who was before the committee a few days ago, told you that the money would be absolutely available for reimbursing the Government for this irrigation project.

The CHAIRMAN. He thought it would all be repaid?

Mr. MERITT. I do not believe there is any question about that. They will have ample funds with which to reimburse the Government.

The CHAIRMAN. Have they any funds at present to their credit in the Treasury?

Mr. MERITT. I do not think they have at the present time any funds to amount to anything.

The CHAIRMAN. Have they any timber?

Mr. MERITT. The timber is not of very great value. Land is their principal asset.

The CHAIRMAN. Does this \$50,000 complete this irrigation unit?

Mr. MERITT. It would be necessary to have, it is estimated, \$125,000 to complete it.

The CHAIRMAN. And that is to be taken from the \$125,000, leaving \$55,000?

Mr. MERITT. I think that is correct, Mr. Chairman. Of course, for some time to come it will require annual appropriations for maintenance.

The CHAIRMAN. I understand that, but it can be completed, in your opinion—each of you joining in that opinion—with \$125,000, of which this is the first payment?

Mr. BURKE. Is that \$125,000 in addition to expended moneys heretofore appropriated?

Mr. MERITT. Yes, sir.

Mr. BURKE. I understood you to say a moment ago that the work was practically completed.

Mr. MERITT. The big part of the project is completed.

Mr. BURKE. Do you remember what the estimated cost was when the project was undertaken originally?

Mr. MERITT. I do not seem to have any figures showing the original estimated cost.

Mr. BURKE. Two years ago, in appropriating for this project, Mr. Code stated, in answer to a question as to when the project would be completed, "by 1912;" and in answer to this question: "How much will be required in addition to the \$75,000 proposed in this bill to complete it," he replied, "About \$125,000 would finish every feature of the Wind River project." Now, we appropriated last year how much?

Mr. HOLT. \$150,000.

Mr. BURKE. And now you are proposing \$50,000 more, and you estimate that it will cost \$75,000 in addition to the \$50,000 that you are asking now. Then Mr. Code's figures would only be off at that time about \$50,000?

Mr. MERITT. Yes, sir.

#### **STATEMENT OF HON. F. W. MONDELL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WYOMING.**

The CHAIRMAN. Mr. Mondell wishes to make a statement relative to building Indian roads on reservations in Wyoming. We should like to have Commissioner Valentine assist us in arriving at some conclusion in this matter.

Mr. Mondell, will you please read the amendment which you would like to have inserted?

Mr. MONDELL. I offer a new paragraph in the form of a bill asking for an appropriation of \$50,000 for roads and bridges on the Wind River Reservation. The bill provides as follows:

That there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of fifty thousand dollars, to be expended under the direction of the Indian Service for the repair and construction of roads and bridges on the Wind River Reservation in Wyoming.

Mr. BURKE. That does not provide for its being reimbursable, does it?

Mr. MONDELL. The bill does not make that provision. I suppose that you gentlemen will want to do that.

May I read a very brief letter from the First Assistant Secretary of the Interior in the form of a report?

The CHAIRMAN. Yes.

Mr. MONDELL. The letter is as follows:

PROPOSED LEGISLATION.

DEPARTMENT OF THE INTERIOR,  
Washington, January 17, 1912.

HON. JOHN H. STEPHENS,

*Chairman Committee on Indian Affairs, House of Representatives.*

SIR: I have the honor to acknowledge the receipt of H. R. 14480, "A bill for the improvement of the roads on the Wind River Reservation in Wyoming," referred for report.

The Commissioner of Indian Affairs informs me that he is in receipt of a report from the superintendent of Shoshone Indian school, in which he states that the funds allowed from the regular appropriations are hardly sufficient to do more than meet such expenditures as are necessary to keep the roads and bridges in a passable condition, and it is estimated that approximately \$87,000 will be needed to put them in comparatively as good condition as those constructed by the county adjoining the reservation.

The road from Lander through the agency grounds to the northwestern corner of the reservation is a part of the new transcontinental automobile road through Wyoming and Yellowstone National Park, and it is estimated that \$25,000 of that amount will be necessary to place that road in anything like proper condition, and \$10,000 will be necessary for the construction of a steel bridge across Bull Lake Creek. This road is much used by the Indians of the reservation. The balance of the amount estimated as necessary by the superintendent will be required to place the principal roads between the school and agency and nearby towns in proper condition.

In view of these facts, it is believed that the amount of the proposed appropriation, if made, should remain available until expended. I therefore have the honor to suggest that there be inserted after the word "Wyoming," in line 8, the words "said amount to remain available until expended."

Respectfully,

SAMUEL ADAMS,  
*First Assistant Secretary.*

Mr. BURKE. There is no recommendation, is there?

Mr. MONDELL. It is a recommendation and I should say a very strong one. He says: "I have the honor to suggest that there be inserted, etc." This he clearly intends as a favorable recommendation of the bill.

This [indicating] is a map, prepared at the suggestion of the Commissioner of Indian Affairs by the superintendent of the reservation, showing the important roads on the reservation. The south border of the reservation is what is known as North Fork. The county authorities have recently constructed a very substantial steel bridge across the North Fork. They have also recently constructed a very substantial steel bridge across Wind River on the northern border of the reservation. The construction of a new road between those two points is necessary.

That [indicating] is the road north and south directly through the center of the reservation used largely by the Indians, and to a certain extent by the settlers on the ceded land to the north and the people living to the south.

Now, there is also a road from the North Fork bridge leading up to the agency and up to the school. The superintendent proposes some repairs on that road, and a change of the road for several miles.

There is also the road from the agency northwest up the Big Wind River. That is used by all the Indians living in the northwestern portion of the reservation, of whom there are many. It is used by all the Indians on their way to their timber lands, which lie up in the northwestern part of the reservation. The old road, you will note, runs due north from the agency for a very considerable distance, nearly to the Big Wind River. It then follows the Big Wind River. That road is very hilly. There are several hills that are very difficult to climb. The superintendent proposes an entirely new road and a bridge across Bull Lake Creek is necessary to put that road in condition.

This road is a part of a main line of travel leading into the Jackson Hole country, and thence into the National Park. That furnishes an added argument even from the standpoint of the Indian Office, as the county has built and is maintaining good substantial roads on both sides of the reservation, and good bridges on both sides, and there is no way in which this section of the road can be placed in the same condition in which the other roads are, except by the expenditure of funds carried in the Indian bill, so that we must either go without the use of this road for those purposes entirely, leaving a break in what is a long line of roads, or we must have the appropriation. But if while men never traveled over that road at all at any time, it is important enough from the standpoint of the Indians to have this money spent for its improvement, because, as I have said, all their timber lands lie up in this part of the reservation. They use logs and posts and poles for the improvement of their farms, and there ought to be a good road to the upper part of the reservation. At the present time that road is practically impassable a considerable portion of the year. The crossing of Bull Lake Creek is impossible whenever the water is high. A bridge has been needed for a long time, and so with the balance of the road all the way up the creek.

The CHAIRMAN. What county is this in?

Mr. MONDELL. This is in Fremont County.

The CHAIRMAN. Do you have road laws in your State that require the working of the road? Do you do the work by having all men from 18 to 45 years of age required to devote so many days, or paying a substitute?

Mr. MONDELL. We require cash payment. We found that the working of the road was not very satisfactory.

The CHAIRMAN. Do you not think it would be more satisfactory to apply that to the Indians and make them work on the roads?

Mr. MONDELL. We have no authority to compel Indians to work on the roads; all of this appropriation would be paid to the Indians for work and material. Our principal roads are in fairly good condition. A road in an arid region, or semiarid region, once constructed is very easily maintained, because there is not much wash, and they do not deteriorate from the elements as they do in a country of heavy rainfall.

The CHAIRMAN. These lands have been allotted to Indians for these roads?

Mr. MONDELL. The Indians own this reservation. The land is all theirs. There are no settlements and practically all of the Indians

have received their allotments, but of course the allotments cover but a portion of this reservation. The land is all arid; it all requires irrigation, and therefore the allotments, at least of the irrigable land, must all be made under the ditches, so there is a great deal of territory on the reservation that has not been allotted, which is used by the Indians in common.

The CHAIRMAN. Have some of the unallotted lands been sold to white settlers that now occupy them?

Mr. MONDELL. None of the land on this reservation has been sold except a very few tracts of the lands of deceased Indians, but they are very few. Practically the entire reservation shown on this map belongs to the Indians either through allotments or in common.

The CHAIRMAN. Suppose we follow the precedent, to which Mr. Burke was referring a few minutes ago, of having an inquiry made and a report back to the next Congress.

Mr. MONDELL. I think that has virtually been done in this case. The Indian Commissioner has the report from the supervisor. This map was prepared under his direction. It shows the roads, the construction and repairs necessary, and shows that the expenditure is urgent, that the necessity is great. It is a condition that does not brook delay, for various reasons; first, the county has made a large expenditure for two bridges, with the understanding that, of course, the Indians would build the road between the two bridges wholly on the reservation, and further by reason of the fact to which I have just referred, that if these Indians are going to have any work to do they ought to have it next year.

The CHAIRMAN. Are these Indian lands as soon as allotted to them, taxable under the laws of your State?

Mr. MONDELL. Oh, no. There is not an acre of that land for which the State receives any taxes. As I said, there have been no lands sold on this diminished reservation, it all belongs to the Indians, allotted and unallotted, except a very few tracts, I imagine, not over a score of small tracts, and perhaps not that many, of the lands of deceased Indians have been sold quite recently. With that exception the entire reservation is the property of Indians, and not taxable. So we have no source of revenue at all from that reservation.

Mr. FERRIS. How many Indians are there on this reservation?

Mr. MONDELL. The commissioner can tell you that exactly.

While the commissioner is looking that up, let me say, as I said a moment ago, which did not go into the record, that under the law opening up the northern part of the reservation, which does not show on the map, certain lands can be sold after the expiration of a given period. That time has arrived, and there will be a very considerable area of these lands sold within the next few months, thus giving a considerable income to the Indians from the sale of those lands.

Mr. FERRIS. What is the total number of Indians, Mr. Commissioner?

Commissioner VALENTINE. The total number of Indians is 1,700.

Mr. MONDELL. Does that include both the Shoshones and the Arapahoes?

Commissioner VALENTINE. Yes, sir; 861 Arapahoes and 864 Shoshones.

Mr. FERRIS. Which reservation is this?

Commissioner VALENTINE. Wind River or Shoshone Reservation.

Mr. FERRIS. Does that include both reservations?

Commissioner VALENTINE. It is one reservation with both these tribes.

Mr. FERRIS. Then there are 1,700 Indians on both these reservations?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. What is the total area of the reservation?

Commissioner VALENTINE. The total area of the reservation is about 350,000 acres, of which, roughly, 282,000 are allotted, leaving a surplus of about 90,000.

Mr. FERRIS. What is the size of the allotments there, 160 acres?

Mr. MONDELL. The allotments are 80 acres of irrigable land.

Commissioner VALENTINE. I was looking to see if they had any grazing allotments.

Mr. MONDELL. Is not the reservation larger than you stated it was?

Commissioner VALENTINE. These figures are rather vague here. I think I can give them now in better shape. The total area of the reservation before it was diminished was 1,272,000 acres, which left in the diminished reservation 282,000 acres. Of the diminished reservation 185,000 acres were allotted to 1,781 Indians, leaving unallotted and unreserved 97,000 acres.

Mr. FERRIS. What is the status of those Indians with reference to intelligence? Are they well along on the road to civilization, or are they blanket Indians, Mr. Mondell?

Mr. MONDELL. They are fairly progressive. In fact all of them are fairly progressive Indians. There are none of them blanket Indians.

Mr. FERRIS. Do all of them speak English pretty much?

Mr. MONDELL. No; there are a considerable number of the adult Indians who do not speak English.

Mr. FERRIS. How extensively are there white settlements on the reservation?

Mr. MONDELL. There are no white settlements except that at Arapahoe, near Arapahoe Station. I think there are two or three white lessees there.

Mr. FERRIS. Is that all on the entire reservation?

Mr. MONDELL. Well, at Hudson, on the extreme southern border of the reservation, right on the river, is a coal town, partly on the reservation, but it is on the extreme edge.

Mr. FERRIS. This is a stock country, is it not? Most of the land on the reservation is used for grazing, is it not?

Mr. MONDELL. Yes; it is semiarid.

Mr. FERRIS. It is a sheep and cattle country?

Mr. MONDELL. Yes; it is a sheep and cattle country.

Mr. FERRIS. There is no agricultural work going on in the country at all, is there?

Mr. MONDELL. Yes; the Indians are farming to quite a considerable extent. I think the commissioner has a report of the acreage under cultivation this year. Of course it is comparatively small, because in the last few years the Indians have been occupied to a considerable extent in building the irrigation ditches, and it is only within the



last two years that their lands have, in the main, been in shape for irrigation.

Mr. FERRIS. Would you say 5 per cent of the allotted lands are being cultivated?

Mr. MONDELL. I would say less than that.

Mr. FERRIS. If there is no agriculture going on on the reservation, or scarcely any at all, and these Indians have no trust funds from which this sum could be reimbursable, do you not think it rather unwise to encumber their estate by making an appropriation of this size to build roads until they really need them more than they do now?

Mr. MONDELL. I think in the first place they really do need the roads very much now. In the second place, while the Indians have no trust fund in cash, they have approximately half a million acres of land which could be sold at any time now, the sale of which is provided for by law, but the Land Office has not gotten around to the sale of that land. As I understand it, it expects to do so in the near future. Furthermore, it is absolutely essential that in the very near future some of these lands be either sold or leased, because the Indians have a very large acreage under a splendid system of irrigation. They are not capable of cultivating those lands, except a comparatively small portion of them. Some of the lands unquestionably ought to be leased, and the Indian Office has that matter under consideration at this time.

Mr. FERRIS. What would you say if I told you that in my State the white people of the State not only improve the highways, but have to pay for the highways throughout the land of the Five Civilized Tribes in the State?

Mr. MONDELL. I should say that unless you received some valuable returns other than indicated in your statement, you are in an unfortunate condition; but you do, I assume, tax personal property. Do you tax improvements on real estate—Indian improvements?

Mr. FERRIS. No; not Indian improvements.

Mr. MONDELL. Do you not have any income from Indian property of any sort?

Mr. FERRIS. Not if it is restricted; we do not.

Mr. MONDELL. This is all restricted, you will understand. Here is an area of approximately a million acres right in the center of our State, thrown across the highways of travel, from which we obtain no returns whatever. Furthermore, we have not asked, as others have, that the Indians participate in, or that the Government appropriate funds to build bridges across streams bordering on the Indian lands. We have done that ourselves, but we think that the Indians ought to have good roads across their reservations.

Mr. FERRIS. They are not carrying on agriculture to any extent. It is a cattle and sheep country where they do not need any roads on that reservation.

Mr. MONDELL. I fear the gentleman did not understand me. The Indians are irrigating but a small percentage of their irrigable lands; the gentleman knows that it would be utterly impossible for 1,700 Indians, which means that a quarter or less of that number of adults, to do a vast amount of agricultural work that it would be absolutely impossible for them to clear the sage brush, and farm 50,000 or 60,000 acres of land under ditch. They are all

carrying on some agricultural operations. Agriculture is their principal means of livelihood. They have some herds, but in the main they get their living from the lands and farms, and from the work they have been doing in the construction of roads and ditches. They do need roads for the further development of their reservations quite as much as we need roads for the purpose of getting across the reservation, and the funds of course would all go back to them in labor performed by them.

Mr. FERRIS. I want to ask you, as a matter of policy, if you do not think it is an exceedingly dangerous proposition for the Federal Government to launch out into the building of roads, even from Indian moneys, and a much more dangerous proposition to launch out into the building of roads where we make direct appropriations for them such as your amendment provides?

Mr. MONDELL. I think that so long as the Government maintains the reservation policy and the Indians have in the States great areas of lands which are nonproductive or remunerative in the way of taxes, that the Government must of necessity, either through the expenditure of Federal funds direct, or through the expenditure of the funds of the Indians, make some sort of provision for roads.

Mr. FERRIS. Your Indians have been allotted, so that they are not dissimilar from the Indians of any other tribe in the United States?

Mr. MONDELL. I understand, but they own, in addition to their allotted lands, a priceless heritage of lands not disposed of.

Mr. FERRIS. So they do on practically every other reservation in the United States.

Mr. MONDELL. As a matter of fact there are no people in our State of equal number who have the property per capita that these people have. They not only have the great reservation which they own, but they have the returns coming to them from a million and a half acres which they have sold.

Mr. FERRIS. That is practically true with every other tribe.

Mr. MONDELL. That being so, being untaxed, they should not escape their reasonable obligations, and neither should we, if we are going to civilize them, assume that they are to get along without roads and bridges.

Mr. FERRIS. Mr. Commissioner, you were here on Saturday and heard read the amendment desired by Mr. Mondell, of Wyoming, with reference to the \$50,000 of the Wind River appropriation for roads, were you not?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. Have you had that matter called to your attention?

Commissioner VALENTINE. It has not been before me personally.

Mr. FERRIS. Has any representative of your office made any investigation of the matter as to the necessity of it?

Commissioner VALENTINE. The superintendent of the reservation has made a report.

Mr. FERRIS. You filed no estimate requesting an appropriation of this kind?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. And as yet your office has made no recommendation as to that part of the bill as an individual matter?

Commissioner VALENTINE. We prepared the letter which was signed by the first assistant secretary, which was read here Saturday.

Mr. FERRIS. But that letter contained no recommendation?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. Merely stated the facts in the case and left it to Congress to decide.

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. The Indians on that reservation do not carry on agricultural operations extensively?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. It is merely a sheep and cattle country, is it?

Commissioner VALENTINE. To some extent, yes; but it is becoming more or less of a mining country now. There is a wonderful chance for farming, however, which should be developed.

Mr. FERRIS. It is not inhabited, to any great extent, by white people, I believe?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. The agent has been using some of the funds for preparing roads heretofore, I believe Mr. Mondell stated.

Commissioner VALENTINE. That is undoubtedly the case, because there is more or less of that work done on all Indian reservations.

Mr. FERRIS. But there has been no specific appropriation for roads before?

Commissioner VALENTINE. Not to my knowledge.

The CHAIRMAN. Has Congress ever made a specific appropriation for the building of roads on an Indian reservation?

Commissioner VALENTINE. I am under the impression that there was; I do not recall just where, but I am under the impression that it has been considered very seriously.

The CHAIRMAN. I have not been able to find any specific appropriation of that kind.

Commissioner VALENTINE. I believe now it was in connection with the Yakima Reservation that the road question was considered very seriously by Congress.

I would like to say, in connection with the agricultural possibilities of the Wind River Reservation, that the land now available for this purpose amounts to about 60,000 acres.

The CHAIRMAN. And the total reservation is how much?

Mr. VALENTINE. One and one-half million acres.

The CHAIRMAN. Would you not feel that, as a matter of policy, it would be rather dangerous for Congress to establish and pursue a policy of building wagon roads in Indian reservations?

Commissioner VALENTINE. As a general policy, of course. But that would be something involving the use of Federal funds that would be entirely for Congress to decide; but, so far as Indian reservations are concerned, I should say it was not one of the first essentials. We all admit that good roads are a very desirable thing and a big item in the industrial progress of a community.

Mr. FERRIS. These surplus lands will in time be disposed of to white settlers?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. And that being true, in all probability it will only be a short time until white people, citizens of the State, will inhabit the major portions of those lands?

Commissioner VALENTINE. That is largely true. There will be a lot of surplus allotments sold.

Mr. FERRIS. Is that the history of all Indian reservations?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. And that being true, should not the white citizens of the State, the individual citizen, assume the responsibility of building roads, and not the Federal Government?

Commissioner VALENTINE. I think it would be my own personal idea that they should, except in so far as Indian lands not being subject to taxation and benefiting by these roads in the lift of prices should contribute to some extent.

Mr. FERRIS. But that would be no more true in one reservation than in another?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. And if we allowed it on one reservation that would cause a striving on the part of the other reservations for the same relief?

Commissioner VALENTINE. Naturally.

Mr. FERRIS. In all sense of fairness, if the Federal Government should construct roads over one Indian reservation there would be others trying to secure the same relief, and without arguing it I will say that it is my idea that we should not begin on that.

Mr. BURKE. Mr. Commissioner, this particular reservation is considerably over a million acres of land, is it not?

Commissioner VALENTINE. Yes, sir; I think it is. There has been 185,000 acres allotted to 1,700 Indians out of the million and a half. A large part of that has been opened and 95,000 acres still remain unallotted and unreserved. The Shoshone Reservation, according to this record, contains 282,000 acres.

Mr. BURKE. Now, is the balance of the land of that million and a half acres authorized to be sold?

Commissioner VALENTINE. Yes, sir; it has been opened for settlement by Presidential proclamation.

Mr. BURKE. And what becomes of the proceeds of the sale of the lands?

Commissioner VALENTINE. It goes to the Indians.

Mr. BURKE. Of the two hundred-odd thousand acres which you refer to as the Shoshone Reservation, is that a permanent reservation?

Commissioner VALENTINE. No, sir.

Mr. BURKE. Is there any legislation authorizing the sale of that reservation?

Commissioner VALENTINE. Not at the present time; no, sir.

Mr. BURKE. Then it is a permanent reservation?

Commissioner VALENTINE. It will undoubtedly be further opened up.

Mr. BURKE. But for the present it is a permanent reservation?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. Now, I want to ask you if a permanent reservation exists in any part of the country and settlers come in all about it, and roads are made up to the reservation on all sides, and necessity would demand a continuation of the road across the reservation, who, in your judgment, ought to stand the expense of that road, the Indians or the white people who live outside the reservation and in the State generally?

Commissioner VALENTINE. I would call your attention first, Mr. Burke, to the fact that under the law they could acquire a right of way to cross the reservation. But, I should say, the cost should be apportioned as fairly as possible among the various people to profit by the use of the road.

Mr. BURKE. Would it not be entirely equitable and proper if roads were necessary upon a reservation to construct them from the funds of the Indians?

Commissioner VALENTINE. In so far as it will directly or indirectly advantage the Indians by increasing the value of their lands.

Mr. BURKE. Now, coming down to this proposition. First, had there been any request on the part of the Indians that any portion of their money be used to build roads, because they needed roads other than those they now have on this reservation?

Commissioner VALENTINE. I have no knowledge of any such request.

Mr. BURKE. How much money have we already advanced to these Indians for any purpose whatever that will be reimbursable from the proceeds received from the sale of these lands?

Commissioner VALENTINE. On behalf of the irrigation projects we have advanced over \$500,000.

Mr. BURKE. And how much is yet necessary, in order to complete the irrigation?

Commissioner VALENTINE. About \$125,000.

Mr. BURKE. So there will be somewhere in the neighborhood of \$700,000 required by the time that project is completed?

Commissioner VALENTINE. In all probability.

Mr. BURKE. And there is no money, at least no considerable amount of money, to the credit of the Indians yet from the sale of these lands?

Commissioner VALENTINE. No, sir; apparently not.

Mr. BURKE. Has it not been for some time the policy of the Indian Office to employ Indians in making roads upon the reservations, using the money appropriated for support, so as to require them to labor for what they get rather than to issue them rations?

Commissioner VALENTINE. Yes, sir.

Mr. BURKE. And it is in that way that you keep up the roads upon the Indian reservations, so far as that work may be done?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. What, in your judgment, is the probable amount of money that the Indians will derive from the sale of their surplus lands?

Commissioner VALENTINE. That would be a wild guess, Mr. Ferris.

Mr. FERRIS. Can you state what was the acreage of their surplus lands?

Commissioner VALENTINE. The acreage of their surplus lands opened by the presidential proclamation of June 2, 1906, was 1,472,000 acres.

Mr. FERRIS. That has already been converted into money?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. Not yet been sold?

Commissioner VALENTINE. No, sir.

Mr. FERRIS. Has the failure to sell it been due to the fact that there has been no demand for it?

Commissioner VALENTINE. I imagine so; very largely.  
Mr. FERRIS. The time allowed in which to make a homestead has now expired, has it not?

Commissioner VALENTINE. That is my understanding; yes, sir.

Mr. FERRIS. The lands can now be sold irrespective of appraisement of price?

Commissioner VALENTINE. The law leaves it discretionary.

Mr. FERRIS. It was subject to homestead entry for the years between 1906 and this date; something like a million and a half acres?

Commissioner VALENTINE. Yes, sir.

Mr. FERRIS. And at reduced price at that.

Commissioner VALENTINE. It is necessary to have water on it to make it really desirable land.

Mr. FERRIS. Then, as to the 1,472,000 acres that was then opened by the presidential proclamation, there is grave doubt as to whether the land is worth anything or not?

Commissioner VALENTINE. It will certainly be worth something, under some quite extensive irrigation projects.

Mr. FERRIS. But in the absence of irrigation, which is, of course, problematical, don't you think that after we have launched these Indians into debt for irrigation, for maintenance, and what not, to the amount of \$700,000, and they have no funds with which to pay that at the present time, don't you think it would be unwise to put them deeper in debt for the building of roads?

Commissioner VALENTINE. It was because of that feeling that we did not estimate for it.

The CHAIRMAN. The next item is:

For support of Shoshones in Wyoming: For pay of physician, teacher, carpenter, miller, engineer, farmer, and blacksmith (article ten, treaty of July third, eighteen hundred and sixty-eight), five thousand dollars; for pay of second blacksmith, and such iron and steel and other materials as may be required, as per article eight, same treaty, one thousand dollars; in all, six thousand dollars.

That is the same as last year.

Commissioner VALENTINE. I submit the following information in justification of that item, which, you will notice, is a treaty item:

*Support of Shoshones: Employees, etc., Wyoming.*

Fiscal year ending June 30, 1912, amount appropriated-----	\$8,000
Fiscal year ended June 30, 1911:	
Amount appropriated-----	8,000
Amount expended-----	5,280
Unexpended balance-----	770
Analysis of expenditures: Employees-----	5,280

SUPPORT OF SHOSHONES: EMPLOYEES, ETC., WYOMING.

Amount asked for, \$8,000.

This item is inserted in the bill to provide for certain employees called for by the treaty of July 3, 1868. Of the amount estimated, \$5,920 has heretofore been paid out for the salaries of clerks, and the remainder for such other needs as were believed to be most essential for the support and civilization of these Indians.

The CHAIRMAN. Mr. Commissioner, do you know when this treaty ended, or whether it has ended?

Mr. BURKE. Article 10, treaty of July 3, 1868, reads as follows:

The United States agrees to furnish annually to the Indians the physician, features, carpenter, miller, engineer, farmer, and blacksmith as herein contemplated, and that such appropriation shall be made from time to time on the estimates of the Secretary of the Department of the Interior as will be sufficient to employ such persons.

Mr. FERRIS. Forever?

Mr. BURKE. It doesn't say.

The CHAIRMAN. What is your construction of that, Mr. Commissioner? When will this treaty end?

Commissioner VALENTINE. Unless there is some provision in the treaty as in the school treaties, as until the Indians shall become self-supporting, it would probably go on until Congress made another agreement.

Commissioner VALENTINE. In compliance with the request of the committee, I submit the following statement showing the factors which, to some extent, account for the differences in the per capita cost at various Indian schools:

There are so many factors that enter into the cost of maintaining an Indian school, and these factors differ so much among the various schools, that it is difficult to properly determine in any particular case why the per capita cost at one is higher or lower than that at any other Indian school. Were all the factors, or a great majority of them, that go to lessen the cost per capita present at any one school, it would show why education at that school was furnished at a comparatively small outlay. If the factors which go to increase cost and those which go to reduce cost are about equally divided, we might expect to find a school of normal cost; while if these factors are all those which tend to reduce cost at Indian schools, we might expect to find one which furnishes education at a minimum per capita.

*Ages of pupils.*—It requires more to feed and clothe old pupils than it does young pupils. The average ages of pupils at nonreservation schools extend from 12 years at one to over 18 years at another. In reservation boarding schools the average age extends from 10 years in one to 13 in another. It frequently happens that pupils after being enrolled for a very short period have their enrollment terminated because of certain conditions, as death of a parent, or a necessity of returning home to care for aged parents, etc. In all these cases these pupils have been supplied with a complete outfit of clothing. This terminating of enrollment would be more frequent in a school where the ages of the pupils were higher, and would tend to make the cost per pupil at this school higher. However, it might be well to consider in connection with this a fact which will be mentioned in another paragraph, but which will operate against the high cost caused by the enrollment of old pupils, and that is the fact that if the school is properly supplied with a farm and with shop equipments, under some superintendents at least, the value of their services will amount to enough to materially reduce the per capita cost.

*Differences in the character of superintendents.*—Some superintendents estimate very closely for supplies and use them sparingly. Others have a tendency to be extravagant. This does not mean that the office does not take cognizance and, to a considerable extent, regulate the affairs of the superintendent with respect to the use of supplies, but it refers primarily to the personal characteristics of the superintendent with respect to these tendencies, which can not be controlled by the office. In other words, the difference between an extravagant and an economical superintendent will, to some extent at least, affect the per capita cost.

*Cost of heating and lighting.*—In the northern portions of the United States the cost for heating and lighting is generally much greater than the cost in the South, due, of course, to climatic conditions. Even in the same latitude there is often a considerable difference in the cost, due in some cases to the nearness to the supply of coal or gas, or the nearness to a city which has electric lighting plants from which the school may buy its current for lighting purposes. Some schools are at a distance of 40, 50, and 60 miles from railroads, and all supplies must be hauled over desert or mountain roads.

*Cost of transportation.*—Distance from the railroad or from the base of supplies, as stated in the preceding paragraph, affects directly the cost of heating and lighting in school plants; also the distance that other supplies than coal must be transported. Some schools are situated near, if not right in, rich agricultural districts and near great manufacturing centers, while others are distant from all sorts of supplies; and while the Government gets the advantage of reduced or free rates from land-grant railroads, yet these schools are at a disadvantage in reference to the total cost of supplies.

*Difference in the amount of production at the schools.*—Some schools have splendid farms and well-equipped shops, and because of these large quantities of supplies are produced and consumed at the school. Others have small or, in some cases, no farms at all and poorly equipped shops, and the amount produced at these schools is very small per capita. One nonreservation school produced \$103 per capita during the fiscal year 1911, while another one produced only \$4 per capita. A further research would probably show that others have produced even a less amount than this. Of course, the amount produced and consumed at the school will affect directly the cost per capita. It must be remembered, however, that what is here stated as being produced by pupils can not be put entirely as a set-off against the per capita cost, for this will generally include cost of raw material, use of machinery, equipment, etc., which in the final analysis was a direct expenditure in the maintenance of the school. The Indian Office does not assume that the school that has produced the largest amount per capita is doing the most commendable work, nor that the school that has produced little or nothing has neglected any important school feature. The education and development of Indian pupils is the prime object, and not production. Indian schools ought not to be made to a considerable extent self-supporting. It has been brought to the attention of the office that in some cases superintendents have undertaken to maintain too large an agricultural enterprise in connection with the school plant and have given the pupils an undue amount of manual labor as compared with the amount of academic and theoretical instruction given. In some cases farming operations are done at an advantage, where the soil is rich and irrigation is unnecessary. In other arid regions all farming operations are done at a disadvantage and consequent high cost.

*Difference in the first cost of equipping students.*—Some schools get their pupils almost entirely from reservation Indian homes, where Indians live in the most primitive conditions. These schools must equip their pupils with clothing to the maximum extent. Other schools get most of their pupils from Indians who do not live on reservations, but whose homes are among white people. These frequently come to school with a considerable amount of clothing, and in a few cases are fairly well to do and prefer to buy, to some extent, their own clothing. They appear in citizens' clothing, as it were, almost entirely. The equipment of such pupils in the way of clothing is much less than the equipment of pupils just from the tepee.

*Difference in the equipment of the schools.*—Some schools are better equipped than others in the way of teaching trades. This necessitates the purchase of not only costly machinery and equipment but the purchase also of raw materials to be used in practice production. Not only does this make the cost per capita higher relatively, but instructors in trades can handle a small number of pupils as compared with what can be handled by academic instructors. These trade instructors must be paid relatively higher salaries than that paid others. In one nonreservation school only 1 trade was offered; in another, 5. In one nonreservation school instruction in 17 trades was offered, while in another there were only 6.

*Cost of employees.*—For a school of 100 enrollment it requires a certain set of employees. There must be the teachers, bakers, cooks, laundresses, seamstress, carpenter, disciplinarian, etc. It takes practically the same set of employees whether there are 100 pupils or 85 pupils enrolled. In other words, for a certain set of employees there is a maximum number of pupils that can be taken care of by them. A considerable reduction, however, of this number of pupils will not justify a reduction in the employees' force. It frequently happens that a school is maintained with the maximum number of employees and with the minimum number of pupils.

*Combination of school and agency work.*—In all reservation schools there is maintained, along with the list of school employees and at the same plant and working under the direction of the same superintendent, a second list of employees, called agency employees. These are generally paid out of other funds



than "Indian schools support." It is generally true that the superintendent's services are practically all given to agency matters; this is also true frequently of his chief clerk, possibly of an assistant superintendent, if he has one, and sometimes of other employees, such as field matrons, etc. While this is not to intimate that employees are paid from school funds when they should be paid from agency funds, it does show that very frequently a considerable portion of the amount paid in salaries for employees and charged against the school fund might, if conditions were different, be chargeable against other funds. This condition exists to a considerable extent in some schools, while in others to a less degree. This would be an important element in figuring the per capita cost.

*Fires, floods, and pestilence.*—Prior to the abolition of the regulation requiring that no school should exceed an expenditure of \$167 per capita per year, it was very frequently necessary that superintendents be permitted to expend an amount in excess of this, due to the accidents at the school—perhaps a fire, flood, or the prevalence of contagious disease among pupils. These conditions frequently recur and they operate to increase the cost per capita at the school afflicted. During the past year there were four or five fires of considerable importance, and one or two floods which destroyed a great amount of property; and contagious diseases appeared in a number of schools.

*Cost of transportation of pupils.*—Pupils of nonreservation schools are usually brought from a distance, and the cost of their transportation makes up the most of the difference between the per capita cost of nonreservation and reservation boarding schools. Including the cost of the transportation of Indian pupils to and from schools the per capita cost of maintaining nonreservation boarding schools is \$177, while that of reservation boarding schools is \$166. Not counting the cost of the transportation of the pupils to and from schools the per capita cost at nonreservation boarding schools is \$168, and at reservation boarding schools \$165.

*Dormitory space.*—Recently the Indian Office issued a regulation requiring that there be 500 cubic feet of air space for each Indian pupil in the dormitories. In the Northern States this limits definitely the number of pupils that can be maintained at the school plant, as the capacity of the dormitories measures the capacity of the school, although dining room and classroom space might permit of a larger enrollment. In the Southwest, where dormitories have been constructed on a slightly different plan and where sleeping porches have been easily constructed, sleeping room for pupils has been considerably increased at no disadvantage to the health of pupils. In these cases a plant in the Southwest country has been permitted to enroll a larger number of pupils, as compared with the total cost of the plant, than could be authorized for the same sized school in the Northern States. This has to some extent affected the per capita cost.

Commissioner VALENTINE. I also submit the following data in compliance with request of the committee:

## STATE OF ARIZONA.

[Number of Indians, 39,216.]

Superintendency.	Tribes.	Expended, 1911.
Camp McDowell.....	Mohave-Apache..... 171 Yavapai-Apache..... 7 Yuma-Apache..... 22	\$127,896.96
	200	
Camp Verde.....	Mohave-Apache..... 282 Tonto-Apache..... 118	4,559.32
	400	
Colorado River.....	Mohave..... 477 Chemehuevi..... 4 Chemehuevi in Chemehuevi Valley..... 55	62,307.97
	536	
Fort Apache.....	White Mountain Apache..... 2,219	72,391.51
Fort Mojave.....	Chemehuevi..... 140 Mohave..... 742	59,819.09
	882	
Havasupai.....	Havasupai..... 177	12,954.07
Kaibab.....	Palute..... 83	3,291.30

## INDIAN APPROPRIATION BILL.

## STATE OF ARIZONA—Continued.

Superintendency.	Tribes.	Expended, 1911.
Leupp.....	Navajo..... 1,000	\$39,077.60
Moqui.....	Moqui (Hopi)..... 1,804	92,324.65
	Navajo..... 2,000	
	3,804	
Navajo.....	Navajo..... 10,000	187,511.03
Phoenix.....	Nonreservation school.....	157,252.17
Pima.....	Apache..... 11	116,487.69
	Maricopa..... 321	
	Papago..... 704	
	Pima..... 4,246	
	Not on reservation:	
	Apache..... 48	
	Papago..... 520	
	Pima..... 59	
	5,909	
Rice Station.....	Apache..... 209	36,428.27
San Carlos.....	Coyotero-Apache..... 528	71,960.65
	Mohave-Apache..... 89	
	San Carlos-Apache..... 1,072	
	Tonto-Apache..... 582	
	Yuma..... 1	
	2,272	
San Xavier.....	Papago..... 4,000	15,016.34
Truxton Canyon.....	Walapai..... 498	26,539.55
Western Navajo.....	Moqui (Hopi)..... 182	38,194.95
	Navajo..... 6,150	
	Paiute..... 113	
	6,445	
Total amount expended.....		1,124,898.12

## STATE OF CALIFORNIA.

[Number of Indians, 16,371.]

Bishop.....	Paiute..... 481	\$10,711.91
Cahuilla.....	Cahuilla..... 152	7,101.99
	Santa Rosa..... 74	
	226	
Campo.....	Campo..... 69	7,290.24
	Cuyapipe..... 29	
	Laguna..... 8	
	La Posta..... 6	
	Manzanita..... 84	
	196	
Capitan Grande.....	Capitan Grande..... 79	6,054.15
	Los Conejos..... 58	
	Sypuan..... 37	
	174	
Carson Day School.....		3,196.92
Digger.....	Digger..... 48	1,453.19
Fort Bidwell.....	Paiute..... 144	21,624.65
	Pit River..... 483	
	627	
Fort Yuma.....	Yuma..... 655	36,406.70
Greenville.....	Digger..... 490	24,091.25
	Washoe..... 75	
	565	
Hoope Valley.....	Hoope..... 436	47,634.50
	Lower Klamath..... 745	
	1,181	
La Jolla.....	Mission..... 125	6,060.19
Maki.....	Mission Creek..... 5	25,901.64
	Morongo..... 270	
	Palm Springs..... 42	
	San Manuel..... 53	
	29 Palms..... 17	
	387	
Manchester.....		490.00
Martinez.....	Mission..... 308	19,457.08
Mesa Grande.....	Mission..... 193	6,038.65
	San Pascual..... 86	
	279	
Pala.....	Pala..... 205	19,087.54
	Pauma..... 54	
	259	
Pechanga.....	Mission..... 186	5,533.20
Rincon.....	Mission..... 84	3,112.06

INDIAN APPROPRIATION BILL.

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STATE OF CALIFORNIA—Continued.

Superintendency.	Tribes.	Expended, 1911.
Round Valley.....	Concow..... 183 Little Lake and Redwood.. 99 Nomelaki and Pit River.. 94 Yuki and Wailaki..... 231 607	\$32,706.85
Sherman Institute.....	Nonreservation school.....	113,846.47
Soboba.....	Soboba..... 141 Santa Ynez..... 62 203	7,808.01
Tule River.....	Tule River..... 156	5,983.47
Upper Lake.....	Digger..... 840	11,035.97
Volcan.....	Inaja..... 33 Los Coyotes..... 126 Santa Ysabel..... 169 328	6,772.73
C. E. Kelsey, special agent for California Indians.....		23,154.93
Total amount expended.....		452,544.29

STATE OF COLORADO.

[Number of Indians, 841.]

Fort Lewis.....	Nonreservation school.....	\$1,272.59
Navajo Springs.....	Wiminnuche..... 463	19,237.06
Southern Ute.....	Capote and Moache Ute..... 352	62,858.22
Grand Junction.....	Nonreservation school.....	33,692.47
Total amount expended.....		117,055.28

STATE OF IDAHO.

[Number of Indians, 3,791.]

Coeur d'Alene.....	Coeur d'Alene..... 537 Spokane..... 96 633	\$14,369.45
Fort Hall.....	Bannock and Shoshoni.... 1,273 Lemhi..... 449 1,722	202,006.01
Fort Lapwai.....	Nez Perce..... 1,433	45,762.10
Total amount expended.....		262,137.56

STATE OF IOWA.

[Number of Indians, 369.]

Sac and Fox.....	Pottawatomie..... 2 Sac and Fox..... 365 Sioux..... 1 Winnebago..... 4 372	\$22,822.79
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STATE OF KANSAS.

[Number of Indians, 1,309.]

Kickapoo.....	Iowa..... 273 Kickapoo..... 209 Sac and Fox..... 87 569	\$22,684.09
Haskell.....	Nonreservation school.....	153,033.60
Pottawatomie.....	Munsee and Chippewa.... 92 Prairie Band of Pottawat- omie..... 724 816	11,214.71
Total amount expended.....		186,932.40

## INDIAN APPROPRIATION BILL.

## STATE OF MICHIGAN.

[Number of Indians, 7,519.]

Superintendency.	Tribes.	Expended, 1911.
Bay Mills.....	Chippewa..... 236	\$1,875. 16
Macinac.....	L'Anse Vieux Desert and Ontonagon Chippewa..... 883	2,856. 76
Mount Pleasant.....	Nonreservation school.....	63,844. 39
Total amount expended.....		68,576. 31

## STATE OF MINNESOTA.

[Number of Indians, 10,711.]

Fond du Lac.....	Chippewa..... 929	\$11,637. 82
Leech Lake.....	Cass and Winnibigoshish. 447	41,066. 80
	Leech Lake Pillager..... 797	
	Mississippi Chippewa..... 463	
	1,707	
Nett Lake.....	Chippewa (Bois Fort)..... 637	14,681. 95
Red Lake.....	Red Lake and Pembina Chippewa..... 1,404	41,513. 36
White Earth.....	Fond du Lac Chippewa (removal)..... 111	117,141. 66
	Mississippi Chippewa:	
	Gull Lake..... 401	
	Mille Lac (removal)..... 990	
	Mille Lac (nonremoval)..... 268	
	White Oak Point (removal)..... 259	
	White Earth..... 1,995	
	Pembina Chippewa..... 361	
	Pillager Chippewa:	
	Cass and Winnibigoshish (removal)..... 63	
	Leech Lake (removal)..... 277	
	Otter Tail..... 744	
	5,489	
Bena.....		6,724. 24
Cass Lake.....		7,014. 88
Morris.....	Nonreservation school.....	18. 33
Pipestone.....	do.....	42,094. 63
Vermillion Lake.....		21,136. 72
William O'Neill, superintendent logging.....		28,709. 73
D. S. Hall, commissioner Chippewas.....		3,942. 90
Total amount expended.....		335,622. 02

## STATE OF MONTANA.

[Number of Indians, 10,814.]

Blackfeet.....	Chippewa..... 138	\$232,707. 61
	Piegan..... 2,269	
	2,407	
Crow.....	Crow..... 1,740	175,296. 68
Flathead.....	Confederated Flathead..... 2,265	395,856. 43
Fort Belknap.....	Assiniboinne..... 696	79,266. 24
	Gros Ventre..... 501	
	1,197	
Fort Peck.....	Assiniboinne Sioux..... 654	236,043. 54
	Yankton Sioux..... 1,102	
	1,756	
Tongue River.....	Northern Cheyenne..... 1,401	125,359. 99
Fort Shaw.....		3,628. 01
Catholic mission schools.....		5,543. 06
Total amount expended.....		1,253,700. 56

# INDIAN APPROPRIATION BILL.

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## STATE OF NEBRASKA.

[Number of Indians, 3,809.]

Superintendency.	Tribes.	Expended, 1911.
Santee.....	Ponca..... 290	\$18,261.81
	Santee Sioux..... 1,155	
	1,445	
Winnebago.....	Omaha..... 1,276	24,287.39
	Winnebago..... 1,063	
	2,339	
Omaha.....		11,698.73
Genoa.....	Nonreservation school.....	75,385.65
Total amount expended.....		129,633.58

## STATE OF NEVADA.

[Number of Indians, 5,240.]

Fallon.....	Paiute..... 319	\$5,335.70
Fort McDermitt.....	do..... 345	5,553.54
Lovelocks.....	do..... 102	5,329.86
Moapa River.....	do..... 128	5,000.55
Nevada.....	Paiute of Pyramid Lake..... 610	34,295.46
Walker River.....	Paiute..... 484	18,523.35
Western Shoshoni.....	Hopi..... 1	28,094.50
	Paiute..... 250	
	Shoshoni..... 252	
	503	
Carson.....	Nonreservation school.....	63,670.79
Duck Valley (Survey).....		7,366.47
Pyramid Lake (Survey).....		5,263.66
Truckee-Carson Irrigation.....		12,992.90
Total amount expended.....		191,425.88

## STATE OF NEW MEXICO.

[Number of Indians, 21,121.]

Jicarilla.....	Jicarilla Apache..... 743	\$59,891.64
Mescalero.....	Mescalero Apache..... 453	57,283.03
Pueblo Bonito.....	Navajo..... 2,783	23,763.02
San Juan.....	do..... 5,600	83,248.09
Santa Fe.....	Pueblo..... 3,367	83,625.96
Albuquerque.....	Nonreservation school.....	117,899.10
Pueblo-Santa Fe.....		1,854.65
Pueblo irrigation.....		4,509.04
Attorneys.....		2,165.95
Navajo.....	Nonreservation school.....	20,302.15
Zuni.....	do.....	78,344.23
Total amount expended.....		532,886.86

## STATE OF NORTH CAROLINA.

[Number of Indians, 7,851.]

Cherokee.....	Eastern Cherokee..... 1,999	\$44,489.17
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## STATE OF NEW YORK.

[Number of Indians, 6,046.]

New York.....	Cayuga..... 182	\$9,514.15
	Oneida..... 276	
	Onondaga..... 547	
	Seneca..... 2,735	
	St. Regis..... 1,368	
	Tuscarora..... 368	
	5,476	

## INDIAN APPROPRIATION BILL.

## STATE OF NORTH DAKOTA.

[Number of Indians, 8,253.]

Superintendency.	Tribes.	Expended, 1911.
Fort Berthold.....	Arickaree..... 411 Gros Ventre..... 466 Mandan..... 255 1,132	\$60,724. 87
Fort Totten.....	Sisseton, Wahpeton, and Cut Head Sioux (known as Devils Lake Sioux)... 986 Turtle Mountain Chippe- was..... 2,684 3,670	48,988. 72
Bismarck.....	Nonreservation school.....	39,017. 74
Turtle Mountain.....	Nonreservation school.....	48,988. 72
Wahpeton.....	Nonreservation school.....	24,426. 62
Total amount expended.....		261,431. 07

## STATE OF OKLAHOMA.

[Number of Indians, 117,247.]

Cantonment.....	Arapaho..... 243 Cheyenne..... 513 756	\$26,933. 93
Cheyenne and Arapaho.....	Arapaho..... 506 Cheyenne..... 747 1,253	80,967. 68
Five Civilized Tribes.....	Cherokee..... 41,701 Chickasaw..... 10,984 Choctaw..... 26,762 Creek..... 18,717 Seminole..... 3,123 101,287	352,564. 65
Kaw.....	Kansa (Kaw)..... 231	8,512. 64
Kiowa.....	Apache..... 165 Comanche..... 1,476 Kiowa..... 1,366 Wichita and Caddo..... 1,021 4,028	121,292. 42
Osage.....	Osage..... 2,100	58,652. 29
Otoe.....	Otoe and Missouri..... 411	26,729. 09
Pawnee.....	Pawnee..... 653	37,323. 79
Ponca.....	Ponca..... 583 Tonkawa..... 53 161	33,889. 73
Red Moon.....	Cheyenne..... 80 Iowa..... 80 636	8,979. 90
Sac and Fox.....	Sac and Fox of the Missis- sippi..... 541 621	28,189. 98
Seeger.....	Arapaho..... 143 Cheyenne..... 433 576	32,554. 32
Seneca.....	Eastern Shawnee..... 113 Miami (Western)..... 127 Modoc..... 67 Ottawa..... 206 Peoria..... 197 Quapaw..... 307 Seneca..... 380 Wyandot..... 372 1,771	28,701. 92
Shawnee.....	Absentee Shawnee..... 445 Citizen Pottawatomie..... 1,655 Mexican Kickapoo..... 243 2,343	34,822. 47
Chilocco.....	Nonreservation schools.....	106,558. 96
Union.....		355,734. 46
Catholic mission schools.....		26,391. 70
Attorneys.....		69,134. 10
Commissioner Five Civilized Tribes.....		163,109. 30
Total amount expended.....		1,601,083. 33

# INDIAN APPROPRIATION BILL.

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## SECTARIAN SCHOOLS.

Paid Catholic mission schools.....	\$26,361.70
Paid Davison Baptist University.....	3,942.98
Paid Oklahoma Presbyterian College for Girls.....	3,279.17
Paid Old Goodland Boarding School (Presbyterian).....	9,338.15
Paid Hargrove College (Methodist).....	3,438.15

46,390.15

## NONSECTARIAN SCHOOLS.

Paid Creek-Seminole Agricultural University.....	\$3,360.00
Paid Murray State School of Agriculture.....	5,232.32
Paid El Mota Bond College.....	3,134.37
Paid Cherokee Orphan Training School (July and August).....	804.13

12,530.82

## STATE OF OREGON.

[Number of Indians, 6,403.]

Superintendency.	Tribes.	Expended, 1911.
Klamath.....	Klamath, Modoc, and Ya-hooskin Band of Snake.....1,126	\$84,620.21
Siletz.....	Clackamas.....6	13,772.15
	Rogue River.....10	
	Santiam.....5	
	Siletz (Confederated).....437	
	Umpqua.....13	
	Wapato Lake.....4	
	Yamhill.....5	
	Indians who have received patents in fee.....102	582
Umatilla.....	Cayuse.....298	35,142.91
	Umatilla.....151	
	Walla Walla.....461	910
Warm Springs.....	Warm Springs (Confederated), Wasco, Tenino, and Paiute.....780	51,596.45
	Allottees permanently absent from the reservation.....79	859
Salem.....	Nonreservation school.....	130,807.65
Roseburg.....	Nonreservation school.....	4,034.99
Total amount expended.....		319,974.36

## STATE OF PENNSYLVANIA.

[Number of Indians, ———.]

Carlisle.....	Nonreservation school.....	\$170,998.04
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## STATE OF SOUTH DAKOTA.

[Number of Indians, 20,352.]

Cheyenne River.....	Blackfeet, Miniconjou, Sans Arc, and Two Kettle Sioux.....2,590	\$112,211.33
	Ute (Absentee).....371	
	2,961	
Crow Creek.....	Lower Yanktonai Sioux.....997	73,432.28
Flandreau.....	Flandreau Sioux.....275	70,557.54
Lower Brule.....	Lower Brule Sioux.....469	48,658.93
Pine Ridge.....	Oglala Sioux.....6,758	486,344.63
Rosebud.....	Brule Sioux.....5,096	218,838.39
Sisseton.....	Sisseton and Wahpeton Sioux.....1,994	30,830.67
Yankton.....	Yankton Sioux.....1,753	36,598.92
Standing Rock.....	Sioux.....3,454	190,337.60
Canton.....	Insane asylum.....	21,179.12
Pierre.....	Nonreservation school.....	40,921.53
Rapid City.....	do.....	68,169.08
Springfield.....	do.....	7,826.01
Catholic mission schools.....		57,027.10
Total amount expended.....		63

## INDIAN APPROPRIATION BILL.

## STATE OF UTAH.

[Number of Indians, 3,123.]

Superintendency.	Tribes.	Expended, 1911.
Shivwits.....	Paite..... 125	\$5,016.21
Uintah and Ouray.....	Uintah Ute..... 444	160,540.94
	Uncompagre Ute..... 480	
	White River Ute..... 268	
	1,202	
Total amount expended.....		165,557.15

## STATE OF VIRGINIA.

[Number of Indians, 539.]

Hampton.....	Nonreservation school.....	\$10,553.40
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## STATE OF WASHINGTON.

[Number of Indians, 10,997.]

Colville.....	Columbia Moses..... 521	\$119,870.30
	Colville (south half)..... 418	
	Kalispel (nonreservation)..... 95	
	Lake and Colville..... 294	
	Nespelem..... 45	
	Nez Perce (Joseph's Band)..... 97	
	Oknanogan..... 538	
	Sanpoil..... 189	
	Spokane..... 504	
	Wenatchi (nonreservation)..... 66	
	2,767	
Cushman.....	Chehalis..... 148	122,273.63
	Clallam (Jamestown)..... 217	
	Clallam (Port Gamble)..... 99	
	Georgetown..... 124	
	Nisqually..... 146	
	Puyallup..... 461	
	Quaitso (Queet-see)..... 55	
	Quinalt (Taholah)..... 231	
	Skokomish..... 186	
	Squaxon Island..... 93	
	1,769	
Neah Bay.....	Hoh..... 54	9,469.87
	Makah..... 407	
	Ozette..... 25	
	Quileute..... 226	
	712	
Tulalip.....	Lummi..... 453	52,631.56
	Muckleshoot..... 163	
	Suquamish (Port Madison)..... 181	
	Swinomish..... 267	
	Tulalip (remnants of many tribes and bands)..... 444	
	1,508	
Yakima.....	Klickitat, Yakima, and Wisham (Confederated Yakima)..... 2,679	253,839.83
Total amount expended.....		558,085.19

## STATE OF WISCONSIN.

[Number of Indians, 11,428.]

Keshena.....	Menominee..... 1,509	\$60,798.17
	Stockbridge and Munsee..... 593	
	2,102	
Lac du Flambeau.....	Chippewa..... 687	36,734.62
La Pointe.....	Chippewa.....	35,453.28
	Bad River..... 1,147	
	Grand Portage..... 324	
	Lac Courte Oreille..... 1,373	
	Red Cliff..... 470	
	Rice Lake..... 189	
	3,503	



STATE OF WISCONSIN—Continued.

Superintendency.	Tribes.	Expended, 1911.
Oneida.....	Oneida..... 2,301	\$23,869.90
Wittenberg.....	Winnebago..... 1,270	23,432.06
Carter.....		742.34
Hayward.....	Nonreservation school.....	39,731.96
Tomah.....	do.....	48,085.12
Catholic mission schools.....		16,116.70
Menominee Mills.....		411,652.43
Total amount expended.....		696,611.58

STATE OF WYOMING.

[Number of Indians, 1,692.]

Shoshoni.....	Arapaho..... 861	\$230,701.58
	Shoshoni..... 840	
	1,701	

GENERAL AND MISCELLANEOUS EXPENSES NOT CHARGEABLE TO ANY STATE.

Miscellaneous allotment expenses.....	\$50,640.72
Miscellaneous irrigation expenses.....	47,336.18
Warehouses.....	63,863.68
Inspection.....	103,282.18
Suppression of liquor traffic.....	65,793.04
Miscellaneous timber expenses.....	21,302.36
Board of Indian commissioners.....	4,006.25
Dr. F. Shoemaker.....	4,382.37
R. A. Throssell, photographer.....	1,239.76
Miscellaneous.....	12,081.92
	394,130.80
Expenses charged to States.....	10,260,128.35
Total.....	10,654,259.15

Thereupon the committee adjourned.

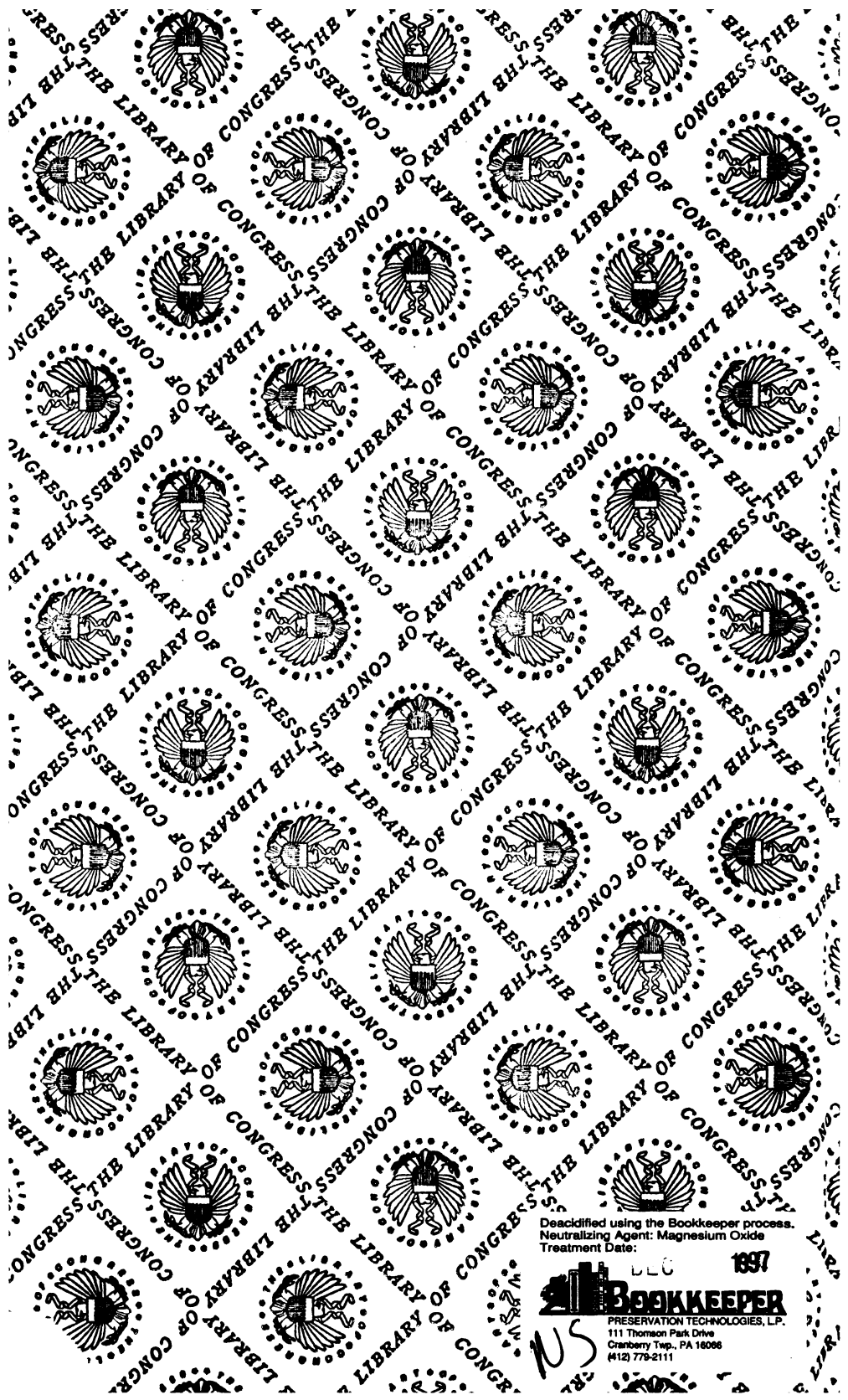


*athens*

LB Je '12

W 1 0 0





Deacidified using the Bookkeeper process.  
Neutralizing Agent: Magnesium Oxide  
Treatment Date:

1997  
**BOOKKEEPER**  
PRESERVATION TECHNOLOGIES, L.P.  
111 Thomson Park Drive  
Cranberry Twp., PA 16008  
(412) 779-2111

NS

